

Exhibit 3

Plaintiffs' Corrected Averment of Jurisdictional Facts and Evidence
and/or Statement of Facts as to Defendant Al Rajhi Bank
Pursuant to Rule 56.1

This Transcript Contains Confidential Material

1	UNITED STATES DISTRICT COURT	
2	SOUTHERN DISTRICT OF NEW YORK	
3	IN RE: TERRORIST ATTACKS ON)
4	SEPTEMBER 11, 2001)
5	_____)
6	Underwriting Members of Lloyd's)
7	Syndicate 2, et al., v.)
8	Al Rajhi Bank, et al.,) 03 MDL 1570
9	No. 16-cv-07853) (GBD) (SN)
10)
11	Addesso, et al. v. Kingdom of) ECF Case
12	Saudi Arabia, et al.,)
13	No. 16-cv-09937)
14)
15	Aguilar, et al. v. Kingdom of)
16	Saudi Arabia, et al.,)
17	No. 16-cv-09663)
18)
19	Hodges, et al. v. Kingdom of)
20	Saudi Arabia, et al.,)
21	No. 17-cv-00117)
22)
23	Aiken, et al. v. Kingdom of)
24	Saudi Arabia, et al.,)
25	No. 17-cv-00450)
)
	Charter Oak Fire Insurance Co.,)
	et al. v. Al Rajhi Bank, et)
	al., No. 17-cv-02651)
)
	Abarca, et al. v. Kingdom of)
	Saudi Arabia, et al.,)
	No. 17-cv-03887)
)
	Arrowood Indemnity Co., et al.)
	v. Kingdom of Saudi Arabia, et)
	al., No. 17-cv-03908)
)
	Abedhajajreh, et al. v. Kingdom)
	of Saudi Arabia, et al.,)
	No. 17-cv-06123)
)
	Muenchener)
	Rueckversicherungs-Gesellschaft)
	Aktiengesellschaft in Muenchen,)
	et al. v. Kingdom of Saudi)
	Arabia, et al.,)
	Case No. 17-cv-07914)

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1 Abbate, et al. v. Kingdom of)
Saudi Arabia, et al.,)
2 No. 17-cv-08617)
3

THURSDAY, MAY 11, 2023

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7

Remote videotaped deposition of

8

30(b)(6) Al Rajhi Bank Designee James

9

Galloway, held at the location of the witness

10

in Saudi Arabia, commencing at 2:31 p.m.

11

Arabia Standard Time, on the above date,

12

before Carrie A. Campbell, Registered

13

Diplomate Reporter, Certified Realtime

14

Reporter, Illinois, California & Texas

15

Certified Shorthand Reporter, Missouri,

16

Kansas, Louisiana & New Jersey Certified

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Court Reporter.

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19

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25 JASMERE COUSIN

1 TRIAL TECHNICIAN:

GINA VELDMAN, Precision Trial Services

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VIDEOGRAPHER:

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Golkow Litigation Services

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1 VIDEOPHOTOGRAPHER: We are now on
2 the record. My name is Zach Hone.
3 I'm a videographer for Golkow
4 Litigation Services.

5 Today's date is May 11, 2023,
6 and the time is 2:31 p.m.

7 This remote video deposition is
8 being held in the matter of In Re:
9 Terrorist Attacks on September 11,
10 2001, MDL 1570.

11 The deponent is James Galloway.

12 All parties to this deposition
13 are appearing remotely and have agreed
14 to the witness being sworn in
15 remotely.

16 Due to the nature of remote
17 reporting, please pause briefly before
18 speaking to ensure all parties are
19 heard completely.

20 Counsels' appearances will be
21 noted on the stenographic record.

22 The court reporter will now
23 swear in the witness.
24
25

1 JAMES GALLOWAY,
2 of lawful age, having been first duly sworn
3 to tell the truth, the whole truth and
4 nothing but the truth, deposes and says on
5 behalf of the Plaintiffs, as follows:

6

7 DIRECT EXAMINATION

8 QUESTIONS BY MR. CARTER:

9 Q. Good morning, Mr. Galloway.

10 How are you?

11 A. Good morning, Mr. Carter. I'm
12 very well. Thank you.

13 And you also, I hope?

14 Q. I am, thank you.

15 Just by way of introduction, as
16 you know, my name is Sean Carter. I'm an
17 attorney with Cozen O'Connor, and I represent
18 plaintiffs in this lawsuit against Al Rajhi
19 Bank arising from the terrorist attacks of
20 September 11, 2001.

21 Do you understand all of that?

22 A. I do.

23 MR. CURRAN: Hey, Sean, I don't
24 mean to interrupt right off the bat,
25 but shouldn't we be identifying people

1 who are on the call?

2 I do want to ensure that we
3 have only people who are subject to
4 the protective order on this -- on
5 this video deposition.

6 MR. CARTER: Yeah, no, I agree.
7 I didn't see anyone else so was not
8 clear that anyone who hadn't been
9 identified might be on.

10 Carrie, can we go through and
11 ask everyone to identify themselves?

12 Obviously for our part at Cozen
13 O'Connor, you have Sean Carter and
14 Scott Tarbutton in the room, and ask
15 other plaintiffs on the line to
16 identify themselves.

17 MR. SHEPS: This is Robert
18 Sheps from the Sheps Law Group on
19 behalf of another plaintiff.

20 MR. ADLER: This is Mark Adler,
21 Cozen O'Connor, a paralegal working on
22 the case.

23 MR. CURRAN: Okay. And for
24 defendants other than Al Rajhi Bank,
25 who do we have?

1 MS. BEMBRY: Good morning.
2 This is Aisha Bembry from Lewis Baach
3 Kaufmann Middlemiss representing MWL
4 and IIRO. I also have my colleague
5 Sumayya Khatib on the line.

6 MR. JANJUA: This is Ahsen
7 Janjua from the law firm Omar
8 Mohammedi representing the World
9 Assembly of Muslim Youth.

10 MS. ZOHNY: Good morning. This
11 is Fatema Zohny on behalf of WAMY as
12 well, and I am with Omar Mohammedi.

13 MR. CURRAN: Okay. And on
14 behalf of Al Rajhi Bank, I'm
15 Christopher Curran of White & Case.
16 I'm representing both Al Rajhi Bank
17 and the witness today.

18 In the room with me are three
19 of my law firm colleagues: Nicole
20 Erb, Reuben Sequeira, and Anwar
21 Akrouk -- excuse me, Akrouk,
22 A-k-r-o-u-k.

23 And also we have a client
24 representative present, Abdulrahman al
25 Mussaed. The last name is spelled a-l

1 M-u-s-s-a-e-d, and he is with Al Rajhi
2 Bank legal department.

3 I do expect this deposition to
4 elicit confidential information of Al
5 Rajhi Bank and its customers and
6 perhaps others, and I do intend to
7 designate the deposition as
8 confidential under the protective
9 order, certainly for the initial
10 30 days and then thereafter.

11 And finally, I ask anyone who
12 is on the video call who is not
13 subject to the protective order to
14 identify themselves now, please.

15 Okay. Mr. Carter, thank you
16 for your patience. Please.

17 MR. CARTER: Thank you, Chris.
18 One other administrative issue.
19 Carrie, our realtime doesn't
20 appear to be working. I don't know if
21 that's a problem others are
22 encountering.

23 MR. CURRAN: I haven't tried
24 myself, Mr. Carter.

25 (Discussion off the record.)

1 QUESTIONS BY MR. CARTER:

2 Q. And thanks for your patience,
3 Mr. Galloway, as we work through some of the
4 logistic issues here.

5 As I was saying, I represent
6 plaintiffs in this lawsuit against Al Rajhi
7 Bank arising from the September 11th attacks.

8 You're here today to testify on
9 behalf of Al Rajhi Bank.

10 Do you understand that?

11 A. I do.

12 Q. And, Mr. Galloway, have you
13 ever been deposed before?

14 A. No, I have not.

15 Q. And have you ever testified in
16 court before?

17 A. No, I have not.

18 Q. Have you ever submitted an
19 affidavit or declaration for a judicial
20 proceeding before?

21 A. No, I have not.

22 Q. Just to go over some of the
23 ground rules for today's session.

24 The court reporter will be
25 taking down my questions to you and your

1 answers to my questions in a transcript. And
2 to enable her to do that in an efficient way,
3 it's important for you to wait until I finish
4 my questions before answering, and for me to
5 wait until you finish your answers before
6 beginning another question.

7 Does that sound fair?

8 A. That does sound fair. Thank
9 you.

10 Q. And the court reporter cannot
11 take down nods of the head or other gestures
12 in response to questions, so it's important
13 that you articulate verbally all of your
14 answers.

15 Is that okay?

16 A. Thank you, yes. I understand.
17 That's okay.

18 Q. To the extent you understand my
19 question, you're required to answer it
20 completely.

21 Do you understand that?

22 A. Yes, I do understand that.

23 Q. And if your counsel raises an
24 objection, you can proceed to answer unless
25 there's an indication that counsel needs to

1 discuss the objection with me.

2 Is that okay?

3 A. That is okay. I understand
4 you.

5 Q. During the course of the day --

6 MR. CURRAN: Sean, we've
7 discussed that if privilege issues
8 arise, I may give an instruction not
9 to answer. So that might be a
10 qualification on your statement.

11 MR. CARTER: Yeah, and that's
12 what I meant when I indicated to the
13 witness that if there's an indication,
14 counsel need to discuss the issue
15 before answering. So I appreciate
16 that clarification.

17 QUESTIONS BY MR. CARTER:

18 Q. Mr. Galloway, over the course
19 of the day, we'll be here for a bit and going
20 through some documents. If at any point you
21 need to take a break, just let us know.
22 You're perfectly entitled to do that.

23 A. Thank you very much. I will.

24 Q. Mr. Galloway, do you have a
25 current curriculum vitae?

1 A. I do.

2 If by that you mean a very
3 long, detailed one, the answer is no, but I
4 have some bullet points to let you know my
5 work history.

6 Q. You don't have a written
7 document with you today concerning your work
8 history and educational background?

9 A. I have a very short document
10 that does that.

11 MR. CARTER: And, Chris, are
12 you able to share that document with
13 us so that we can mark it?

14 MR. CURRAN: Yeah, I've got no
15 problem with that. It's brief. You
16 could cover it in three minutes, I
17 think, but --

18 MR. CARTER: Well, why don't we
19 do that. Let's begin by first marking
20 as Exhibit ARB 1 the deposition notice
21 that is at Tab 1 in the exhibit
22 folder.

23 (Al Rajhi Bank 30(b)(6) Exhibit
24 ARB 1 marked for identification.)
25

1 QUESTIONS BY MR. CARTER:

2 Q. Mr. Galloway, are you able to
3 see Exhibit 1?

4 A. Yes, I can.

5 Q. And this is the second revised
6 notice of oral deposition of defendant Al
7 Rajhi Bank pursuant to Federal Rule of Civil
8 Procedure 30(b)(6).

9 Have you seen this document
10 before?

11 A. Yes, I have.

12 Q. And have you had an opportunity
13 to review this document?

14 A. I've seen the first page, as
15 Mr. Curran indicates, and I have read the
16 first page.

17 MR. CURRAN: Well, I was just
18 clarifying that he's got the first
19 page on the screen. If you need to
20 look at the full document, you have a
21 copy, and you can also bring it up on
22 the computer, I think.

23 I'm sorry, Mr. Carter. Please
24 continue.

25

1 QUESTIONS BY MR. CARTER:

2 Q. Yeah, my apologies.

3 You should be able to scroll
4 through the document as it's shared in the
5 computer. And so if you can take a moment to
6 look at the document that's been marked as
7 ARB Exhibit 1, and let me know if you've had
8 a chance to review that document in full in
9 preparation for your deposition today.

10 A. If you can stand by, we're just
11 getting that working on this side.

12 Q. Sure.

13 GINA VELDMAN: I put the link
14 in the chat, if you didn't already
15 have it.

16 MR. CURRAN: Okay.

17 GINA VELDMAN: If you just
18 click on it, it should go right to a
19 folder, and there should be Exhibit 1
20 in there.

21 THE WITNESS: Thank you for
22 your patience. I'm just looking at it
23 now.

24 Thank you, Mr. Carter. I can
25 confirm I've read the document. I

1 have seen it before.

2 QUESTIONS BY MR. CARTER:

3 Q. Thank you, Mr. Galloway.

4 And do you understand that you
5 are here today to testify on behalf of Al
6 Rajhi Bank pursuant to this second revised
7 notice of deposition?

8 A. Yes, I do understand that.

9 Q. And beginning on page 3 of the
10 document, there's an identification of areas
11 of inquiry for today's deposition.

12 Do you see that?

13 A. Yes, I do.

14 Q. And below that, there are
15 identified 45 areas of inquiry, some of which
16 include subparts, correct?

17 A. That is correct.

18 Q. And you understand you're here
19 today to testify on behalf of Al Rajhi Bank
20 concerning its knowledge relating to those
21 areas of inquiry?

22 A. Yes, I do.

23 Q. And are there any areas of
24 inquiry identified in the second notice of
25 deposition that you are unprepared to address

1 today?

2 MR. CURRAN: Objection. Vague
3 and overbroad.

4 You may answer.

5 THE WITNESS: I've prepared
6 responses to your questions.

7 QUESTIONS BY MR. CARTER:

8 Q. I'm sorry, can you repeat that
9 answer?

10 A. I have prepared responses to
11 your questions, and I have a response for
12 each of them.

13 Q. Mr. Galloway, are you currently
14 employed by Al Rajhi Bank?

15 A. Yes, I am.

16 Q. And when did you begin working
17 for Al Rajhi Bank?

18 A. In October of 2018.

19 Q. And what is your current role?

20 A. I am the chief strategy officer
21 for the bank. Chief strategy officer is my
22 title.

23 Q. And generally, what are your
24 responsibilities in that role?

25 A. You know, it's to help author

1 and design the strategy for the bank and to
2 assist with the framing up of the
3 implementation of that for the benefit of the
4 bank.

5 Q. And is that the position you
6 held when you joined the bank in 2018?

7 A. There was a short time when I
8 was the general manager of marketing, and
9 then within six months I was in the role I'm
10 in today.

11 Q. And can you provide me with a
12 brief background concerning your educational
13 history?

14 A. Yeah. I have a bachelor of
15 economics from the Australian National
16 University. I have a graduate diploma in
17 applied finance from the Securities Institute
18 of Australia. And I have a master's in
19 business with a major in marketing from the
20 Royal Melbourne Institute of Technology in
21 Australia.

22 Q. And were you born in Australia?

23 A. Yeah, that's right.

24 Q. Are you an Australian citizen?

25 A. I am.

1 Q. Do you hold citizenship with
2 any other country?

3 A. I do not.

4 Q. Do you speak Arabic?

5 A. I do not.

6 Q. Do you read Arabic?

7 A. I do not.

8 Q. Prior to joining Al Rajhi Bank,
9 where were you employed?

10 A. Prior to joining Al Rajhi Bank,
11 I was working at HSBC Bank in London.

12 Q. And what was the tenure of your
13 employment with HSBC in London?

14 A. I was there for five years,
15 from August '14 until August 2018.

16 Q. And what was your role at HSBC?

17 A. I was the group head of
18 strategy for the retail bank.

19 Sorry, correct that. I was the
20 group head of distribution, which involved
21 the distribution strategy, but the group head
22 of distribution was my title.

23 Q. And can you provide me with a
24 brief summary of your work history leading up
25 to your employment with HSBC?

1 A. Yeah, no problem.

2 I worked before HSBC with
3 Standard Chartered Bank in Singapore, and
4 that was for a four-year period from
5 September 2010 to July 2014.

6 Prior to working for Standard
7 Chartered Bank, I worked for Westpac Bank in
8 Australia for a seven-year period from
9 October of 2003 to July 2010.

10 Prior to that, I worked for
11 Coles Myer Limited, which is a large retail
12 group in Australia, and that was for four and
13 a half years from January 2018 {sic} until
14 June 2002.

15 And prior to that, I worked for
16 GE Capital, which was part of the GE
17 Corporation, for three years from 1996 until
18 1998.

19 Q. Mr. Galloway, the transcript
20 reflects that in relation to your employment
21 at Coles Myer you indicated that you began
22 there in 2018, and I think that was an
23 inadvertent statement.

24 A. I mis -- sorry, I misspoke.

25 MR. CURRAN: You have to wait

1 until he's done talking.

2 QUESTIONS BY MR. CARTER:

3 Q. Yeah. Can you clarify the
4 tenure of your employment with Coles Myer?

5 A. Yes. I was -- Mr. Carter, I
6 might have misspoke.

7 It was 1998 until 2002.

8 Q. And what was your role or roles
9 at Standard Chartered?

10 A. At Standard Chartered it was a
11 distribution role, was my last role there.

12 Prior to that, I worked in
13 marketing and customer experience-type roles
14 for them, as well as a role reporting to the
15 head of the retail bank at the time.

16 Q. I have limited knowledge of the
17 banking industry.

18 Can you tell me what you mean
19 by the distribution --

20 A. Yeah.

21 Q. -- segment of Standard
22 Chartered?

23 A. Yeah, they have -- Standard
24 Chartered operate in Asia, Africa and Middle
25 East, so the role involved making sure that

1 we had the right distribution assets. By
2 that I mean the right types of sales
3 configuration, whether the employees worked
4 for the company, whether they had different
5 agents working on their behalf, the sales
6 efficiency, the sales productivity, those
7 sorts of things.

8 Q. And what were your positions at
9 Westpac?

10 A. Westpac I joined as the head of
11 marketing and customer -- what we would call
12 today customer experience, customer
13 satisfaction, if you want to call it that.

14 And then I moved on to a role
15 running all of the retail product suite, the
16 mortgages, the credit cards, current accounts
17 and so forth. And for that I was responsible
18 for the sales and P&L and the product design
19 issues associated within that.

20 Q. And how about with Coles Myer?

21 A. Yeah, in Coles Myer I worked in
22 the department store group initially in a
23 marketing role. I was then the head of
24 business services, which involved finance and
25 IT. And then I was -- finally, my last role

1 there was the managing director of a
2 business, a big box market retail business,
3 they called Mega Mart at the time, which
4 sold -- I guess it's like a Best Buy in US
5 terms. Perhaps you'd be familiar with it.

6 Q. Sure.

7 And how about GE Capital?

8 A. Yeah, that was a partnership
9 between Coles Myer group and GE Capital. GE
10 bought store card portfolios from retailers,
11 and then GE's value-add was to offer not only
12 the management of the credit facilities but
13 marketing insights based on customer behavior
14 and trying to help the retailer boost their
15 sales by having a credit product.

16 Q. In relation to any of the
17 positions you've held that we've just
18 discussed, did you have responsibilities for
19 any money laundering procedures and
20 protocols?

21 A. Not direct responsibilities,
22 no. I was aware of them, but I was not the
23 officer responsible for writing them.

24 My job was more about sales
25 performance, sales management, the design of

1 the sales models rather than the operational
2 management. That was done in GE and HSBC by
3 the local management in country.

4 I was a group involved in
5 Singapore, and in HSBC in London, my job was
6 really to help them drive the sales
7 performance rather than be managing the
8 operational detail in country.

9 Q. And are you familiar with the
10 use of the term "AML" to refer to any money
11 laundering procedures?

12 A. Yes, I am.

13 Q. And if I use that term, will
14 you understand what I'm talking about?

15 A. Yes, I will.

16 Q. And do you consider yourself an
17 expert in any money laundering requirements
18 or procedures?

19 MR. CURRAN: Objection as to
20 form.

21 You may answer.

22 THE WITNESS: I would consider
23 myself knowledgeable. I don't think I
24 would be considered an expert, per se.

25

1 QUESTIONS BY MR. CARTER:

2 Q. And in relation to the
3 employment history you've described, have you
4 had any responsibility for counterterrorism
5 financing strategy or policies?

6 A. Not direct. It would be the
7 same as the response I just gave you on the
8 AML side.

9 Q. And have you heard the acronym
10 CTF used for counterterror financing?

11 A. I have.

12 Q. And so if I use that acronym,
13 you'll understand what I'm saying?

14 A. I will.

15 Q. And in any of your employment
16 capacities that you've described, have you
17 been responsible for know your customer
18 policies and protocols at any of those
19 institutions?

20 A. It would be the same response
21 as the last two questions. I'm familiar with
22 them. I understand customer onboarding, et
23 cetera, but I have not been ever designated
24 as the officer responsible for or the expert
25 in. But I'm aware of the practices, and I

1 understand what happens.

2 Q. And are you familiar with the
3 use of the acronym KYC to refer to know your
4 customer protocols?

5 A. I am.

6 Q. And again, if I use that
7 acronym over the course of the day, you'll
8 understand what I'm talking about?

9 A. Yes, I will.

10 Q. In any of the capacities you've
11 described, have you been directly involved in
12 an investigation into the possible use of
13 bank's facilities to support terrorist
14 activity?

15 A. No, I've never been directly
16 involved in any of those investigations.

17 Q. Generally speaking, in
18 preparation for your deposition today, can
19 you tell me what you did?

20 And to the extent you've spoken
21 with counsel, don't tell me anything you've
22 discussed with counsel, but you can tell me
23 whether or not you had conversations with
24 counsel as part of your preparations.

25 A. I was notified on the 30th of

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1 April that I would be the company's 30(b)(6)
2 respondent. So since that time, I've been
3 diligently preparing. I would have spent
4 well north of 100 hours of preparation work.

5 I've interviewed members of
6 staff in relation to the 45 topics in your
7 questions and the multiple subtopics,
8 numbering in some cases, I think, up to a
9 dozen subtopics on the different categories.

10 I've been full-time on this and
11 have suspended my normal responsibilities in
12 order to dedicate myself to it.

13 The people that I have met
14 across the organization are varied, and in
15 total involve some 28 people. And those
16 interviews have been conducted by me and in
17 some cases have required follow-up as well.

18 I've taken the documents that
19 have been presented and also read all of
20 those as part of my preparation.

21 And then with that knowledge,
22 I've then synthesized all that into a form
23 that hopefully will respond to your questions
24 and give you the kind of responses you're
25 looking for from the bank.

1 Q. Thank you for that summary,
2 Mr. Galloway.

3 You mentioned that you read
4 documents that were presented. Can you tell
5 me generally what documents you're referring
6 to?

7 A. I've read the documents --

8 MR. CURRAN: Hold on.

9 THE WITNESS: I'm sorry.

10 MR. CURRAN: I'm going to
11 object and instruct the witness not to
12 answer on the basis of attorney-client
13 privilege and work product.

14 To the extent he refers to
15 documents or relies on documents in
16 answering substantive questions, I
17 have no problem with the witness
18 identifying those documents. So --

19 MR. CARTER: Chris, I don't
20 think the documents that he reviewed
21 for purposes of testifying as to the
22 bank's knowledge is a privileged
23 matter in this setting at all. So I
24 think he is required to tell me what
25 documents he reviewed and provide a

1 description so I can understand the
2 basis of his knowledge to testify for
3 the bank.

4 MR. CURRAN: Well, I guess it
5 depends on the level of specificity
6 you're looking for, because the
7 selection of documents presented to
8 the witness reflects attorney work
9 product, attorney mental processes and
10 analysis.

11 So I know you disagree with my
12 assertion of the privilege. I didn't
13 hear you say anything about work
14 product.

15 But -- my objection stands.
16 But, again -- and my instruction
17 stands. But, again, the witness will
18 identify any documents that he's
19 relied upon in formulating his answers
20 to your questions.

21 MR. CARTER: Well, I think the
22 documents he's relied upon is
23 different from an understanding of
24 what he's reviewed and whether or not
25 that review has been sufficient to

1 fulfill his obligations, which is part
2 of what we need to assess today.

3 But let me try to get at it a
4 different way, and we'll see if we can
5 get past this.

6 QUESTIONS BY MR. CARTER:

7 Q. Mr. Galloway, are you aware
8 that Al Rajhi Bank has produced documents to
9 the plaintiffs in this litigation?

10 MR. CURRAN: You may answer.

11 THE WITNESS: Yes, I am.

12 QUESTIONS BY MR. CARTER:

13 Q. And have you reviewed all of
14 those documents?

15 MR. CURRAN: You may answer.

16 THE WITNESS: Yeah, I have.

17 Yep, I have.

18 MR. CURRAN: He's asking if you
19 reviewed --

20 THE WITNESS: Well, I -- can I
21 clarify, please?

22 When you say "all those
23 documents produced," I've reviewed
24 some -- I've reviewed a number of
25 documents. I can't really understand

1 the universe of documents you're
2 referring to easily.

3 QUESTIONS BY MR. CARTER:

4 Q. Okay. Well, Al Rajhi Bank has
5 produced in excess of 40,000 pages of
6 documents to plaintiffs in the litigation.

7 Have you, in preparation for
8 today, reviewed the full compendium of about
9 40,000 pages Al Rajhi Bank produced?

10 MR. CURRAN: You may answer
11 that. It's a yes or no question.

12 THE WITNESS: I believe not if
13 it's 40,000. I don't believe I've
14 read 40,000 pages.

15 QUESTIONS BY MR. CARTER:

16 Q. And so what you have read are
17 some selection of documents that were given
18 to you by counsel, correct?

19 MR. CURRAN: You may answer
20 that.

21 THE WITNESS: That is correct.

22 QUESTIONS BY MR. CARTER:

23 Q. And did you request as part of
24 your preparation that the bank search for any
25 additional documents to enable you to testify

1 today?

2 MR. CURRAN: You may answer.

3 THE WITNESS: Yes.

4 QUESTIONS BY MR. CARTER:

5 Q. What documents did you ask the
6 bank to search for in order to prepare
7 yourself to testify today?

8 A. I asked some follow-up
9 questions on various documents, including
10 looking at the branch policy manual from the
11 period.

12 Q. What branch policy manual are
13 you referring to?

14 A. It's the branch manual
15 August 1997 document, is the best way I can
16 use to identify it for you.

17 Q. And what is the Bates number
18 for that document? There is a label
19 designation.

20 A. Yeah, it's ARB00000164. These
21 are on the cover page.

22 Q. And what prompted you to
23 request additional document searches in
24 relation to that document?

25 A. To understand the customer

1 onboarding process that is -- processes on
2 foot at the time.

3 Q. And did someone at the bank
4 provide you with additional information on
5 that issue?

6 A. I made inquiries about that and
7 the order process and other matters with the
8 interviews that were conducted.

9 Q. Did anyone provide you any
10 additional documents on that issue?

11 A. Not to the best of my
12 knowledge, no.

13 Q. Am I correct that you didn't
14 believe the information that you had from the
15 documents provided a complete picture of
16 those matters?

17 A. No.

18 MR. CURRAN: Objection as to
19 form. Argumentative.

20 You may answer.

21 THE WITNESS: No, that's not
22 correct.

23 I've been trying to make sure
24 that I -- if I have a question I can
25 validate that in multiple sources and

1 just make sure I get the picture
2 together.

3 It's been a lot of ground to
4 cover in two weeks, so I've done my
5 best to understand events of 25 years
6 past and try and know what was
7 happening at the time and satisfy
8 myself by a combination of reading and
9 questioning to make sure I understood
10 the situation to represent it
11 correctly.

12 QUESTIONS BY MR. CARTER:

13 Q. Did you interview any former Al
14 Rajhi Bank employees?

15 A. No, I did not.

16 Q. Did you attempt to?

17 A. No, I did not.

18 Q. Given that the inquiries
19 concerned matters that occurred many years
20 ago, did you consider trying to identify
21 former employees who would have had personal
22 and direct knowledge of those matters for
23 purposes of conducting interviews?

24 MR. CURRAN: Objection as to
25 form. And I instruct the witness not

1 to answer that to the extent it
2 reflects communications with counsel.

3 Otherwise, you may answer.

4 THE WITNESS: I did not, as per
5 advice from my -- I did not attempt to
6 contact anybody.

7 QUESTIONS BY MR. CARTER:

8 Q. Do you have a list of the 28
9 employees whom you interviewed?

10 A. Yes, I do. I have it in front
11 of me.

12 Q. Did you at any point interview
13 the bank's CEO, Abdullah al Rajhi?

14 A. Yes, I did.

15 Q. Do you know when --

16 A. Mr. Carter, can I --

17 Mr. Carter, sorry, can I correct that?

18 He's -- not in his capacity as
19 the CEO. In his capacity currently as
20 chairman, I interviewed him, to be clear.

21 MR. CURRAN: Objection. Lack
22 of foundation.

23 MR. CARTER: My apologies.

24 QUESTIONS BY MR. CARTER:

25 Q. You interviewed Abdullah al

1 Rajhi at some point?

2 A. That's correct.

3 Q. But when did you interview him?

4 A. The day before yesterday.

5 Q. And how long did that interview
6 last?

7 A. Two-plus hours, two and a half
8 hours, something like that.

9 Q. And where was that conducted?

10 A. In the offices of Al Rajhi Bank
11 in Riyadh.

12 Q. And did you conduct the
13 interview yourself?

14 MR. CURRAN: Objection. Vague.

15 You may answer, but in doing
16 so, do not reveal attorney-client
17 communications.

18 THE WITNESS: I asked questions
19 of the chairman. He responded to
20 those questions.

21 QUESTIONS BY MR. CARTER:

22 Q. Was counsel present during the
23 interview?

24 MR. CURRAN: You may answer
25 that yes or no.

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1 THE WITNESS: Yes.

2 QUESTIONS BY MR. CARTER:

3 Q. Did counsel ask questions
4 during the interview?

5 MR. CURRAN: You may answer
6 that yes or no.

7 THE WITNESS: Yes.

8 QUESTIONS BY MR. CARTER:

9 Q. And are you prepared to testify
10 today concerning all of the information that
11 was exchanged during that interview?

12 MR. CURRAN: You may answer.

13 THE WITNESS: Yes.

14 QUESTIONS BY MR. CARTER:

15 Q. Can you tell me who the other
16 28 employees were, and in relation to each,
17 if you can, tell me what their position is?

18 A. I can.

19 Are you asking me to read every
20 name on the list and their title?

21 Q. If you have it, or you can
22 provide me the list.

23 A. I can read it to you.

24 Q. Sure.

25 A. In the compliance department,

1 with respect to the chief compliance officer,
2 Hamad Alwashmi.

3 Would the stenographer like me
4 to spell each name?

5 (Discussion off the record.)

6 MR. CARTER: I think in the
7 interest of time, maybe we can clear
8 this up off the record. So go ahead
9 and continue.

10 MR. CURRAN: No need to spell.

11 THE WITNESS: Okay.

12 The compliance department was
13 the chief compliance officer.

14 In the compliance department,
15 there was the assistant general
16 manager.

17 In the HR department, there was
18 a senior director of HR
19 administration.

20 QUESTIONS BY MR. CARTER:

21 Q. I'm sorry, Mr. Galloway, we
22 still need the names.

23 A. Oh, okay. Sorry.

24 Q. So why don't we start from the
25 top, as they say.

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1 A. In the compliance department,
2 chief compliance officer, Hamad Alwashmi.

3 In the compliance department,
4 assistant general manager, Naif Al Dahmashi.

5 In the HR department, the
6 senior director of HR administration,
7 Abdullah Al-Subail.

8 In the HR department, the
9 senior director of HR information systems,
10 Dhaher A. Al-Enazi.

11 In the shared services
12 operations area, the senior director of core
13 banking and enterprise application support,
14 Turki M. Al-Dalilah.

15 In the shared services IT
16 operations area, the executive general
17 manager of IT core banking application
18 support, Osama Anis.

19 In the shared services IT
20 operations, another manager by the name of
21 Hammad H. Mohammad.

22 In the shared services
23 operations, the executive manager IT core
24 infrastructure storage support, Haitham M.
25 Al-Behairy.

1 In the shared services IT
2 governance and control, the senior director
3 of governance and control, Sami S. Alahmadi.

4 Excuse me for a moment.

5 In the retail banking branch
6 operations control and development, the
7 director of branch operations control and
8 development, Naif Al-Qahtani.

9 The manager -- in the core
10 infrastructure and computer platform support,
11 I spoke to the manager of IT core operations,
12 computers and platform support, Khalifey
13 Tajammul.

14 In the retail -- excuse me one
15 second.

16 In the retail banking services,
17 I spoke to the AGM of retail banking
18 services, Mohammed Aloud.

19 In the MD and CEO's office, I
20 spoke to the senior office manager for the MD
21 and CEO office, Fahad M. Al Njrani.

22 In the retail banking charity
23 relations department -- excuse me -- I spoke
24 to the senior relationship manager nonprofit
25 sector, Tareq Almoteriy.

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1 In the marketing and customer
2 experience relations department, I spoke to
3 the senior officer of media relations, Saud
4 Al Muzayrie.

5 In the marketing and customer
6 experience media relations department, I
7 spoke to -- sorry. In the title of corporate
8 and social responsibilities, I spoke to
9 AbdulAziz Al-Sheryan.

10 In the financial institutions
11 department, I spoke to the director of
12 financial institutions, Abdulrahman
13 Al-Ghofaily.

14 In the Sharia department, I
15 spoke with the AGM of Sharia counsel, Faisal
16 Al-Shareef.

17 In the Sharia department, the
18 AGM of Sharia control, Abdulmajeed Al-Dulyami.

19 In the archive center, the
20 executive manager of documentation
21 operations, Mansour S. Alshuaibi.

22 The executive manager of
23 foreign litigation, Abulrhman Almussaed.

24 In internal audit, to the chief
25 internal auditor, Dhary Alshammry.

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1 In internal audit, the
2 executive audit manager, retail banking,
3 Ibraheem Al-Alzuair.

4 In the finance department, the
5 senior director of financial governance and
6 quality assurance, Ahmed L. Alawassi.

7 Can I correct that, please?
8 Ahmed S. Alawassi.

9 In the shared services business
10 continuity and crisis management department,
11 I spoke to the director of business
12 continuity and crisis management, Khaled A.
13 Altawily.

14 In the board secretariat
15 office, I spoke to the manager of the board
16 secretariat, Amin Osman Awad.

17 And in the board office for the
18 chairman, spoke to Abdul Rahman al Rajhi.

19 Is that right? That can't be
20 right. No, that's -- can I correct the
21 record, please?

22 Q. You can.

23 A. I spoke to the chair -- to the
24 chairman, Abdul Rahman al Rajhi, not working
25 in the office. I'm sorry, Abdullah al Rajhi.

1 Sorry. For some reason I've
2 got an error on my sheet, so apologies for
3 that.

4 Q. That's okay.

5 But are we correct that
6 Abdullah al Rajhi and Abdul Rahman al Rajhi
7 are different people?

8 A. We are clear on that, yes.

9 Q. Thank you.

10 And you identified the
11 departments in which all of those people
12 worked.

13 Were all of those departments
14 in existence in the 1998 through 2001 time
15 period?

16 A. The organization or structure
17 changed slightly during that period, but we
18 have tracked back for the source against the
19 likely repository for documents or the area
20 of expertise in -- that was in operation at
21 the time of the inquiries, if that helps.

22 Q. Sure, it helps. But just to be
23 clear, let me give you an example.

24 I think you referred to a
25 charity relations department, correct?

1 A. That's correct.

2 Q. Was there a charity relations
3 department in the 1998 through 2001 time
4 period?

5 A. I do not know the answer to
6 that because I was speaking to people who are
7 in the current structure.

8 Q. And you mentioned as well the
9 Sharia department.

10 Do you happen to know whether
11 there was a distinct Sharia department in the
12 '98 through 2001 time period?

13 A. Yes, there was.

14 Q. And do you happen to know who
15 was responsible for charity relations
16 management during the 1998 through 2001 time
17 period?

18 A. No, I do not.

19 Q. With the exception of Abdullah
20 al Rajhi, were any of the people you
21 interviewed in preparation for your
22 deposition employed with the bank in the 1998
23 through 2001 time period?

24 A. There were some, yes.

25 Q. Are you able to identify the

1 individuals with whom you spoke who were
2 employed with the bank during that time
3 period?

4 A. Can I answer?

5 MR. CURRAN: Yeah, you may
6 answer.

7 THE WITNESS: Would you like me
8 to identify them now? Is that what
9 you're asking?

10 QUESTIONS BY MR. CARTER:

11 Q. Yeah. Which of the people you
12 just identified were employed with the bank
13 in 1998 through 2001 time period, and if you
14 know their roles at that time, please tell us
15 that as well.

16 A. I do not have that information
17 on the dates in front of me, and so I don't
18 want to give you an inaccurate response right
19 now. But I do know -- I do know some -- for
20 instance, one of the gentlemen in e-mail
21 archiving was there around the time of the
22 issues that are mentioned in your
23 questioning.

24 And the branch auditor that I
25 spoke to was also with the bank at that time.

1 Q. And you referred to something
2 you described as the MD and CEO department or
3 group.

4 Does the MD refer to managing
5 director or something of that sort?

6 A. That's correct.

7 Q. Turning back to the second
8 notice of deposition that we've identified as
9 Exhibit 1, if you can pull that up.

10 A. Could you stand by for one
11 moment?

12 Q. Sure.

13 MR. CURRAN: Here is a hard
14 copy, if it helps.

15 THE WITNESS: Yeah, I have that
16 in front of me. Thank you,
17 Mr. Carter.

18 QUESTIONS BY MR. CARTER:

19 Q. And turning to area of inquiry
20 number 1, which concerns relationships with
21 certain Da`wah organizations and their
22 principles.

23 Do you see those topics?

24 A. Yes, I do.

25 Q. And are you familiar with the

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1 term "Da`wah"?

2 A. Only from reading this
3 document, but I don't know it as a prescribed
4 term.

5 Q. It's not a term that you've
6 become familiar with in your work at Al Rajhi
7 Bank?

8 A. It's a term that I've become
9 aware of as a result of reading this
10 document, but it's not a term that's used in
11 the bank, to the best of my knowledge, or not
12 in interactions that I've ever had with
13 anyone.

14 Q. What is your understanding of
15 the meaning of the term "Da`wah" as it's
16 being used in this litigation?

17 A. My understanding --

18 MR. CURRAN: Objection.

19 Overbroad.

20 You may answer.

21 THE WITNESS: My understanding
22 is it refers to three specific
23 charitable organizations: Al
24 Haramain, Muwaffaq, and the Islamic
25 International, or International

1 Islamic, Relief Organization,
2 otherwise referred to as IIRO.

3 QUESTIONS BY MR. CARTER:

4 Q. You're not, as I understand it,
5 then familiar with the Arabic term "Da`wah"
6 and its meaning to call to Islam?

7 A. No, I'm not. I'm not an Arabic
8 speaker, sir, as I said.

9 Q. And just to touch a few points
10 with regard to your preparations for this
11 area of inquiry, the term "Da`wah principles"
12 is identified and defined on pages 2 and 3 to
13 refer to a number of specific individuals.

14 Do you see that?

15 MR. CURRAN: May I point it --

16 MR. CARTER: Yeah, sure.

17 MR. CURRAN: Point it out?

18 MS. BEMBRY: Sean, this is

19 Aisha Bembry. Please note my
20 objection to the definition that
21 you've identified in the deposition
22 notice.

23 MR. CURRAN: The witness has
24 pages 2 and 3 in front of him.

25

1 QUESTIONS BY MR. CARTER:

2 Q. Okay. Mr. Galloway, and do you
3 see that there's an individual listed under
4 the IIRO heading named Prince Turki bin Fahd
5 bin Jalawi Al Saud?

6 A. On page 3 at the top? Are you
7 referring to that?

8 Q. I am.

9 A. Yes, I can see that name.

10 Q. And for purposes of testifying
11 today concerning Al Rajhi Bank's knowledge of
12 its relationship with Prince Turki bin Fahd
13 bin Jalawi Al Saud, did you ask the bank to
14 retrieve any documents that had not been
15 produced to plaintiffs?

16 MR. CURRAN: Objection as to
17 form.

18 You may answer.

19 THE WITNESS: Could you repeat
20 your question one more time, please?

21 QUESTIONS BY MR. CARTER:

22 Q. Sure.

23 For purposes of testifying
24 today concerning Al Rajhi Bank's knowledge of
25 its relationship with Prince Turki bin Fahd

1 bin Jalawi Al Saud, did you ask the bank to
2 retrieve any documents that had not been
3 produced to plaintiffs?

4 A. I did not.

5 Q. Do you -- did you review any
6 account statements for accounts held by
7 Prince Turki bin Fahd bin Jalawi Al Saud?

8 A. I did not.

9 Q. Do you know whether Al Rajhi
10 Bank maintained accounts during the 1998
11 through 2002 time period for Prince Turki bin
12 Fahd bin Jalawi al Saud?

13 A. I did not.

14 Q. For purposes of testifying
15 today about Al Rajhi Bank's knowledge of its
16 relationship with Prince Turki bin Fahd bin
17 Jalawi al Saud, what did you do to prepare
18 yourself and ensure that you had all
19 information available to the bank?

20 MR. CURRAN: Objection as to
21 form. We -- the banks stands by its
22 objection as to the principles as
23 identified in the deposition notice.

24 But you may answer.

25 THE WITNESS: Could you repeat

1 the question, please?

2 MR. CARTER: Sure.

3 How about if the court reporter
4 can just read it back for us?

5 (Court Reporter read back
6 question.)

7 THE WITNESS: The preparation
8 included the questions relating to any
9 transactions with IIRO officials.

10 QUESTIONS BY MR. CARTER:

11 Q. Well, do you know whether
12 Prince Turki bin Fahd bin Jalawi al Saud had
13 accounts at Al Rajhi Bank during the 1998
14 through 2002 time period?

15 A. I do not know that he had -- as
16 far as I know, he did not. I don't know the
17 answer to that.

18 Q. Well, can you clarify? Did he
19 not have accounts, or do you not know whether
20 he had accounts?

21 A. He --

22 MR. CURRAN: Objection. Vague
23 as to whether you're asking about
24 personal accounts or accounts on
25 behalf of IIRO.

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1 You may answer.

2 THE WITNESS: The questions
3 that I believe you've been asking were
4 related to the accounts of principles
5 of IIRO; is that correct?

6 QUESTIONS BY MR. CARTER:

7 Q. Let me clarify my question.

8 Do you know one way or the
9 other, sitting here today, whether Prince
10 Turki bin Fahd bin Jalawi al Saud held
11 accounts in his name at Al Rajhi Bank during
12 the 1998 through 2002 time period?

13 A. I do not know the answer to
14 that.

15 Q. And in this area of inquiry,
16 topics also include ARB's knowledge
17 concerning its relationship with an
18 individual named Abdul Rahman Al Rajhi.

19 Do you see that?

20 MR. CURRAN: Objection as to
21 form. That's a vague identification
22 of a name.

23 The witness may answer.

24 THE WITNESS: You are referring
25 to 2A, correct? 2B, et cetera; is

1 that correct?

2 QUESTIONS BY MR. CARTER:

3 Q. I'm referring to, in the
4 initial question here, Topic 1, and that
5 would include 1A and 1(b).

6 MR. CURRAN: I'm going to point
7 to the witness' document because the
8 video pictures are obscuring the
9 document on the screen there.

10 He's asking about Abdul Rahman
11 Al Rajhi, I think, in this -- we call
12 it a -- the top part of the --

13 THE WITNESS: Yes.

14 So your question again was, do
15 I recognize the name? Is that what
16 you're asking me?

17 QUESTIONS BY MR. CARTER:

18 Q. No, I'm asking whether you see
19 where I'm pointing to --

20 A. Yes.

21 Q. -- the notice area of inquiry
22 that concerns ARB's knowledge of ARB's
23 relationship with Abdul Rahman al Rajhi and
24 the subparts to that.

25 Do you see that section?

1 A. I see that.

2 Q. And for purposes of testifying
3 today about ARB's relationship with Abdul
4 Rahman al Rajhi, what did you do?

5 A. Well, to the extent to which
6 the person you're referring to is Abdul
7 Rahman al Rajhi, we think you mean Abdul
8 Rahman Abdul al Rajhi -- it's not clear from
9 the way it's presented here -- and that
10 person never had any role at the bank.

11 Q. And what is the source of your
12 knowledge that that person never had any role
13 with the bank?

14 A. First, in the HR records, and
15 also I asked that of the chairman when I met
16 with him.

17 Q. And during your interview with
18 the chairman, did he tell you who Abdul
19 Rahman Abdul al Rajhi was?

20 MR. CURRAN: Objection to form.

21 You may answer.

22 THE WITNESS: The chairman
23 identified that there's a number of
24 family members with that or a similar
25 name.

1 QUESTIONS BY MR. CARTER:

2 Q. And did he indicate that one of
3 those family members with that similar name
4 worked for the Sulaiman al Rajhi Foundation
5 in Saudi Arabia?

6 A. He did not identify that
7 directly, no.

8 Q. Did you ask him whether there
9 was a person with that name working at the
10 Sulaiman al Rajhi Foundation in Saudi Arabia
11 during the relevant time period, 1998
12 through 2002?

13 A. Yes, I did.

14 Q. And what was his answer?

15 A. He said that he worked in the
16 charity. He had no idea what his role was,
17 and he didn't have a start or end date or
18 know anything about the involvement in the
19 charity. But he did confirm that he worked
20 for the charity.

21 Q. Was he able to tell you what
22 that person's relationship was, family
23 relationship was, with Sulaiman al Rajhi, the
24 bank's founder?

25 MR. CURRAN: Objection. Lack

1 of foundation.

2 You may answer.

3 THE WITNESS: No, I didn't get
4 a specific understanding of the family
5 tree. I think there's some
6 relationship between the half-sister
7 of his and the gentleman that you're
8 referring to as Abdul Rahman al Rajhi.

9 QUESTIONS BY MR. CARTER:

10 Q. When you say "half-sister of
11 his," who is the "his" you're referring to?

12 A. Of the chairman, Mr. Abdul al
13 Rajhi.

14 Again, he wasn't specific. I'd
15 just like to note that.

16 Q. Did you request that Al Rajhi
17 Bank conduct an inquiry to determine whether
18 or not it held accounts in the name of Abdul
19 Rahman Abdul al Rajhi during the relevant
20 time period?

21 A. No, I did not.

22 Q. And so I take it from that
23 answer that you did not review account
24 statements for any accounts Abdul Rahman
25 Abdul al Rajhi may have held at Al Rajhi Bank

1 during the relative time period?

2 A. That's correct.

3 Q. And so did you request
4 information concerning whether or not Al
5 Rajhi Bank had carried out any transfers of
6 funds to Abdul Rahman Abdul al Rajhi during
7 the relative time period?

8 MR. CURRAN: Objection as to
9 form.

10 You may answer.

11 THE WITNESS: Can you repeat
12 the question, please? Sorry.

13 QUESTIONS BY MR. CARTER:

14 Q. Did you conduct an inquiry to
15 determine whether Al Rajhi Bank had carried
16 out any transfers of funds to Abdul Rahman
17 Abdul al Rajhi during the 1998 through 2002
18 time period?

19 MR. CURRAN: Mr. Carter, which
20 area of inquiry are you under now?
21 Because I'm not seeing a reference to
22 transactions involving --

23 MR. CARTER: Yeah, so financial
24 contributions provided to the Da`wah
25 organizations and their principles by

1 ARB, Sulaiman and Abdul Rahman al
2 Rajhi.

3 MR. CURRAN: Objection.
4 Objection as to form. I think that's
5 kind of a convoluted area of inquiry.
6 The witness may answer.

7 THE WITNESS: And could you
8 repeat your question, please,
9 Mr. Carter?

10 QUESTIONS BY MR. CARTER:

11 Q. Yeah. I'm just asking whether
12 or not you conducted an inquiry to identify
13 any transactions carried out by Al Rajhi Bank
14 for the benefit of Abdul Rahman Abdul al
15 Rajhi.

16 MR. CURRAN: Same objection.
17 That's not actually within the area of
18 inquiry 1(b).

19 You may answer.

20 MR. CARTER: I disagree with
21 that. It's in -- it's within area 1,
22 but go ahead.

23 THE WITNESS: I did not conduct
24 inquiries on his account, no.

25

1 QUESTIONS BY MR. CARTER:

2 Q. With regard to Topic 1(d), what
3 did you do to gather information concerning
4 Sulaiman al Rajhi's membership or service on
5 any boards, councils, committees or governing
6 bodies of the IIRO?

7 MS. BEMBRY: Note my objection
8 as to form.

9 MR. CURRAN: You may answer.

10 THE WITNESS: I did a search of
11 the bank archives, both your -- the
12 chairman's office, the board office,
13 also their general archives of the
14 bank.

15 And in any other archive
16 search, we also looked in legal and
17 internal audit as well as the bank's
18 central archive.

19 QUESTIONS BY MR. CARTER:

20 Q. Let's break that down a bit.
21 You did a search of the bank
22 archives, including the chairman's office,
23 correct?

24 A. That's correct.

25 Q. Did that involve a

1 comprehensive review of the archives of the
2 chairman's office?

3 MR. CURRAN: Objection as to
4 form.

5 You may answer.

6 THE WITNESS: For the subject
7 period, yes.

8 QUESTIONS BY MR. CARTER:

9 Q. So any and all documents within
10 the chairman's office for the years '98
11 through 2002 were reviewed?

12 A. That's correct.

13 Q. And was any review conducted
14 for earlier periods?

15 A. No, it was not.

16 Q. And are there archives for
17 earlier periods of the chairman's office?

18 A. I don't have knowledge of that.
19 I just searched for the relevant period.

20 MR. CURRAN: Objection.

21 Exceeds the scope of the deposition
22 notice.

23 MR. CARTER: Okay. Well, I'm
24 not sure asking him questions about
25 the searches that were conducted

1 exceeds the notice, but --

2 MR. CURRAN: Well, when you're
3 asking about searches conducted of
4 periods outside the relevant period, I
5 think it does. That's why I objected.

6 MR. CARTER: Yeah.

7 QUESTIONS BY MR. CARTER:

8 Q. Where were the archives of the
9 chairman's office that you reviewed
10 maintained?

11 A. In the office of the chairman.

12 Q. And those were not, therefore,
13 in the general archives of the bank?

14 A. Some may have been, and to the
15 extent they were, we searched the main
16 archive of the bank. But some documents are
17 retained also in the chairman's office. We
18 searched in both places.

19 Q. And how did you go about
20 searching in the main archives for the
21 archives of the chairman's office? In other
22 words, were they in an identifiable location?

23 A. They were. I've got some --
24 quite some detail, if you would like to -- if
25 you could just point me to the area on the

1 conversation sheet here that can help me
2 understand that question number, I've got
3 some notes I can refer to to help me with
4 that.

5 Q. Sure, we'll get to that in a
6 minute. I just wanted to see if, you know,
7 as part of the dialogue right now you had it
8 on the top of your head. But we'll get to it
9 later if you need to refer to your notes.

10 In connection with your
11 preparations to testify concerning Al Rajhi
12 Bank's relationships with the Al Haramain
13 Islamic Foundation and International Islamic
14 Relief Organization, did you review account
15 statements for those entities?

16 A. Yes, we did.

17 Q. And did you familiarize
18 yourself with any accounts in general that Al
19 Rajhi Bank maintained for those entities
20 during the 1998 through 2002 time period?

21 MR. CURRAN: 2002? Yeah, okay.

22 Go ahead.

23 THE WITNESS: Yeah, we searched
24 for any accounts the bank had with
25 those organizations.

1 QUESTIONS BY MR. CARTER:

2 Q. And so sitting here today, you
3 have a general familiarity with the -- the
4 scope of Al Rajhi Bank's account
5 relationships with those entities, correct?

6 A. That's correct.

7 Q. And are you aware that Al Rajhi
8 Bank has produced account statements relating
9 to those entities to plaintiffs in this
10 litigation?

11 A. Yes, I am.

12 Q. And have you had a chance to
13 look at any of those account statements?

14 A. I've -- not in detail for every
15 entry, if that's what you're going to ask me.

16 Q. No, I'm just asking whether
17 you've had a chance to look at any of them.

18 A. I've cited some.

19 Q. And do you know how those
20 account statements were retrieved?

21 A. They were retrieved from the
22 core banking system.

23 Q. What is the core banking system
24 as you understand it?

25 A. In -- I can give you a short

1 answer or a longer answer.

2 The short answer is it's the
3 central repository for all the customer
4 account information and product information
5 related to the bank. We have multiple parts
6 of the architecture, but basically any
7 current account information and the
8 transactions on that are held in the core
9 banking system.

10 Q. And when did the core banking
11 system come into existence?

12 A. If you'll allow me, I'll just
13 refer to the -- my notes.

14 Could you just direct me to the
15 place on the areas of inquiry that that
16 question relates to, please?

17 MR. CURRAN: The first one 41A.

18 MR. CARTER: Yeah.

19 THE WITNESS: I do not have a
20 commencement date for the core banking
21 system in my notes.

22 QUESTIONS BY MR. CARTER:

23 Q. Is it your understanding that
24 the core banking system captures account and
25 transaction information going back to the

1 1998 through 2002 time period?

2 A. Yes, it is. That is correct.

3 Q. And it should capture all
4 account and transaction information for that
5 time period, correct?

6 A. That's correct.

7 Q. And does the core banking
8 system have fields that are electronically
9 searchable?

10 A. Yes, it does.

11 Q. Do you know what those fields
12 are?

13 A. I don't have that information.

14 Q. Do you know how Al Rajhi Bank
15 conducted its search of the core banking
16 system to identify accounts it held for Al
17 Haramain and International Islamic Relief
18 Organization?

19 A. Yes, it was done in sort of a
20 four-part process, which I can describe to
21 you.

22 Q. Sure.

23 A. The first was to take the names
24 that were provided, and given the potential
25 ambiguity with Islamic names and the variety

1 of spelling, both in the form as well as the
2 number of names, applied a -- you could call
3 it a fuzzy logic or a string search-type
4 approach that used every know common
5 combination of middle names and family names,
6 order of spelling, et cetera.

7 So as it relates to individual
8 accounts, we had to try to narrow down the
9 actual account holder from the potential
10 names that might have been similar but not
11 the same person.

12 And the second step was we used
13 additional resources like OFAC and the
14 World-Check or Google, et cetera, to try to
15 identify with more precision the person and
16 names and things like the date of birth and
17 nationality, et cetera.

18 And then there was a third
19 stage which then out of the probable
20 customers that met the name that we were
21 given, we then narrowed down on their
22 customer file, any national ID, photo ID, et
23 cetera, national ID number. And we did that
24 in both English and Arabic.

25 Q. And so that was the process for

1 identifying account holders, correct?

2 A. That's correct.

3 Q. And is the core banking system
4 capable of searching for and identifying all
5 transactions that are credited to a
6 particular entity? For instance, here the Al
7 Haramain Islamic Foundation or the IIRO?

8 MR. CURRAN: Objection. Vague.

9 You may answer.

10 THE WITNESS: Yeah, amounts
11 credited can be -- can be identified
12 on the system. It just depends on
13 whether the annotation on the credit
14 is clear or complete.

15 QUESTIONS BY MR. CARTER:

16 Q. All right. So we'll discuss
17 that a little bit later.

18 But just to stay on this topic
19 for a moment. Can you tell me what the
20 general ledger is at Al Rajhi Bank?

21 A. Yeah, the general ledger is the
22 core accounting system for the bank which
23 keeps the bank's own internal financial
24 records, the debits and credits, if you like.

25 Q. And what is the O'Neil system?

1 A. Yeah, the -- the O'Neil system
2 is a system to track the movement of hardcopy
3 documents from branches or the headquarters
4 to the archive center, and also to help
5 identify the location of documents within the
6 archive center.

7 So if you want an example, if
8 you had multiple accounts under a single
9 account number, it would be able to tell you
10 where the various files related to that
11 overall CIC, or customer identification code,
12 number were.

13 Q. And the last system identified
14 under this heading is the FileNet system.

15 What is that?

16 A. Yeah, the FileNet system? It's
17 the -- the bank sub -- it's the -- it's
18 the -- FileNet is the way you find out the
19 information that's in the archive, and it has
20 metadata appended to that over time.

21 So if you wanted to search for
22 a particular CIC number, for example, you
23 would use the FileNet system. So it's a
24 system for searching the documents. The
25 O'Neil tracks the document movement, and

1 FileNet lets you search for the individual
2 documents.

3 Q. Mr. Galloway, have you ever
4 yourself conducted searches in any of those
5 four systems?

6 A. I have not.

7 Q. We've discussed a bit of the
8 account statements that Al Rajhi Bank has
9 produced for the Al Haramain Islamic
10 Foundation and International Islamic Relief
11 Organization.

12 Are you aware that Al Rajhi
13 Bank has also produced certain know your
14 customer information relating to those
15 accounts?

16 A. Yes.

17 Q. And do you know where that know
18 your customer information was retrieved?

19 A. I believe it would have been
20 retrieved from the central archive.

21 Q. Are you familiar with something
22 known as the customer information files?

23 A. Yes, I am.

24 Q. And what are the customer
25 information files?

1 A. Customer information files are
2 the additional information we would hold on
3 the customer.

4 Q. And would the customer
5 information files include all know your
6 customer information concerning the client?

7 A. Yes, they should.

8 Q. And is it your understanding
9 that Al Rajhi Bank has produced to plaintiffs
10 all know your customer information relating
11 to the Al Haramain and IIRO accounts that it
12 has identified?

13 MR. CURRAN: Objection. Lack
14 of foundation.

15 You may answer.

16 THE WITNESS: I believe so.

17 QUESTIONS BY MR. CARTER:

18 Q. Did you undertake as part of
19 your preparations to determine whether Al
20 Rajhi Bank had provided all know your
21 customer information for the Al Haramain
22 Islamic Foundation and International Islamic
23 Relief Organization accounts it had
24 identified?

25 MR. CURRAN: Objection.

1 Mr. Carter, what category or
2 area of inquiry is this?

3 So the question is about the
4 witness' knowledge of what's been
5 produced in the litigation?

6 MR. CARTER: Well, the topic
7 concerns the bank's relationships with
8 these entities, and the relationships
9 with these entities are significantly
10 informed by the know your customer
11 information.

12 So I'm asking whether or not he
13 has an understanding of whether or not
14 the know your customer information has
15 been provided.

16 MR. CURRAN: Yeah, I think
17 that's beyond the designated area of
18 inquiry.

19 You can ask him about the
20 bank's knowledge of the subjects, but
21 I don't see an area of inquiry for
22 this witness where he's supposed to
23 know everything that's been produced
24 in the litigation.

25 You may answer.

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1 THE WITNESS: Could you repeat
2 the question just so I can understand
3 what you want to know?

4 MR. CARTER: Sure. The court
5 reporter can reread it.

6 (Court Reporter read back
7 question.)

8 THE WITNESS: The bank -- the
9 bank had no accounts -- so just -- can
10 I just take a moment, please?

11 QUESTIONS BY MR. CARTER:

12 Q. Sure.

13 A. The bank held accounts for Al
14 Haramain KSA and IIRO KSA, so to that extent,
15 I believe that the documents have been handed
16 over. We did not hold any accounts for
17 Muwaffaq, or Muwaffaq.

18 Q. And Topic 1(a) in the second
19 notice of deposition we marked as Exhibit 1
20 refers to ARB accounts established or held in
21 the name of, among others, Al Haramain and
22 IIRO, correct?

23 A. That's what it asks for, yes.

24 Q. And the know your customer
25 information would be part of the information

1 relating to the accounts ARB, or Al Rajhi
2 Bank, maintained for those entities, right?

3 A. I believe --

4 MR. CURRAN: Objection to the
5 form.

6 You may answer.

7 THE WITNESS: I believe so.

8 QUESTIONS BY MR. CARTER:

9 Q. Do you know whether the
10 customer information files would include any
11 information concerning any money laundering
12 or counterterrorism financing inquiry
13 initiated in relation to an account holder?

14 A. An inquiry, did you say?

15 Q. Yeah.

16 A. I mean, I -- you're meaning
17 after the fact of the account being opened?
18 Is that what you mean?

19 Q. Correct.

20 A. I do not know the answer to
21 that, but anything like that would be found
22 as part of internal audit.

23 (Al Rajhi Bank 30(b)(6) Exhibit
24 ARB 2 marked for identification.)
25

1 QUESTIONS BY MR. CARTER:

2 Q. Can we mark as Exhibit ARB 2
3 the document at Tab 2?

4 Mr. Galloway, this is a summary
5 document that the plaintiffs have prepared
6 identifying the separate accounts they have
7 identified in Al Rajhi Bank's production
8 relating to Al Haramain Islamic Foundation.

9 A. Okay.

10 Q. And based on our review, we've
11 identified 94 separate accounts maintained by
12 Al Rajhi Bank for Al Haramain.

13 Is that consistent with what
14 you understand based on your preparations
15 concerning the scope of the bank's
16 relationship with Al Haramain?

17 MR. CURRAN: Objection as to
18 form.

19 I believe this summary document
20 was not attached to the deposition
21 notice, and it's improper to foist
22 this upon the witness in this context.

23 You may answer.

24 THE WITNESS: I'm aware that
25 there were multiple Al Haramain

1 accounts with the bank.

2 QUESTIONS BY MR. CARTER:

3 Q. And as part of your
4 preparations, did you determine how many
5 separate Al Haramain accounts Al Rajhi Bank
6 was maintaining during the 1998 through 2002
7 time period?

8 A. Yes, I did.

9 Q. How many did you identify?

10 A. I had an item count of 95.

11 Q. So your count is one greater
12 than the plaintiffs' count, correct?

13 A. I have not counted the number
14 of entries on the screen you're showing me,
15 but if yours is 94, that's one item
16 difference.

17 Q. Okay. And did you undertake to
18 determine the specific name designation for
19 each of the Al Haramain accounts?

20 MR. CURRAN: Objection as to
21 form.

22 You may answer.

23 THE WITNESS: Could you clarify
24 what you mean by that?

25

1 QUESTIONS BY MR. CARTER:

2 Q. Did the Al Haramain accounts
3 have, at least in certain cases, distinct
4 name designations?

5 A. I'm sorry, sir, I still don't
6 understand what you mean by "name
7 designation." I'm not quite sure the point
8 you're trying to get to.

9 Q. Okay. Well, looking at our
10 chart, we had identified some accounts that
11 were held in the name simply of Al Haramain
12 Islamic Foundation and in other cases
13 accounts that included additional information
14 like the women's committee.

15 Do you see that on our
16 document?

17 A. I can.

18 Q. And as part of your
19 preparation, did you review the names of the
20 different accounts maintained by Al Rajhi
21 Bank for Al Haramain?

22 A. If by your question you mean do
23 we understand the reason why the accounts had
24 different names, the answer is yes.

25 Q. Okay. What is the reason for

1 that?

2 A. My understanding is that the
3 accounts were created for different
4 charitable acts by Al Haramain. In other
5 words, different projects or different
6 activities would have a different name on the
7 account in order to keep the funds and the
8 activities separate by project.

9 Q. And what is the basis of that
10 understanding?

11 A. That's what I have been told by
12 my internal inquiries. I don't have the
13 direct source with me now. But in the core
14 banking system we extracted the records, but
15 I can't give you the source for the person
16 who told me that specifically.

17 Q. Do you know whether every Al
18 Haramain account includes a particular
19 designation for the specific charitable
20 activity it was created to carry out?

21 MR. CURRAN: Objection as to
22 form. Vague.

23 You may answer.

24 THE WITNESS: What I can tell
25 you is that I understand the reason

1 the -- there are multiple accounts is
2 because they relate to multiple
3 projects, but I can't tell you more
4 specifics beyond that.

5 QUESTIONS BY MR. CARTER:

6 Q. And again, what is the source
7 of that understanding? Is it something
8 someone told you?

9 MR. CURRAN: Objection as to
10 form.

11 You may answer.

12 THE WITNESS: It's something
13 that in the inquiries when I asked how
14 many accounts there were and saw the
15 relatively large number, my question
16 was why were there so many accounts.

17 QUESTIONS BY MR. CARTER:

18 Q. And do you recall who provided
19 the explanation that you're testifying to
20 today?

21 A. Yeah. I can get you a name.

22 Yeah, it would have been
23 Abulrhman Almussaed.

24 Q. And what was Abulrhman
25 Almussaed's position with the bank?

1 A. Executive manager of foreign
2 litigation.

3 Q. And was he employed with the
4 bank during the 1998 through 2002 time
5 period?

6 A. No.

7 Q. And do you know how he came to
8 his understanding that he conveyed to you
9 that the separate accounts were created to
10 carry out distinct charitable purposes?

11 A. No, I do not.

12 Q. On the list that plaintiffs
13 have prepared, you'll see that many of the
14 accounts are simply identified as Al Haramain
15 Islamic Foundation, and that's our
16 understanding based on the information
17 provided to us.

18 Do you know whether or not
19 there is additional information in the bank's
20 systems relating to the accounts that are
21 simply identified as Al Haramain Islamic
22 Foundation describing some more particular
23 purpose?

24 A. I do not have direct knowledge
25 of that, no.

1 Q. With regard to the account
2 statements that have been produced by Al
3 Rajhi Bank to the plaintiffs for Al Haramain
4 and the IIRO, are those authentic business
5 records of the bank?

6 A. Yes, they are. And let me just
7 refer to my notes, if you don't mind.

8 Yeah, they're authentic
9 business records, and I can give you some
10 additional detail.

11 Q. Sure.

12 A. I can't find the reference, but
13 I understand that they're the original
14 statements as opposed to a replicate
15 statement. So it has the authentic data in
16 it.

17 Q. And so the data reflected in
18 the account statements was created at or near
19 the time of the events that are reflected in
20 the statements?

21 A. That is my understanding.

22 Q. And I take it that given that
23 Al Rajhi Bank is in the banking business, the
24 practice of creating and maintaining account
25 statements is something it does in the

1 ordinary course of its business?

2 A. That's correct.

3 Q. And aside from the information
4 you already provided concerning your
5 understanding that the accounts were created
6 to support different charitable purposes, do
7 you have any additional information
8 concerning why there were this number of Al
9 Haramain accounts in existence at this time?

10 A. I do not.

11 Q. Do you know whether the number
12 of accounts being maintained by Al Haramain
13 ever prompted any money laundering or
14 terrorism financing concerns in the 1998
15 through 2002 time period?

16 MR. CURRAN: Objection. Lack
17 of foundation.

18 You may answer.

19 THE WITNESS: I have no direct
20 knowledge of that.

21 (Al Rajhi Bank 30(b)(6) Exhibit
22 ARB 3 marked for identification.)

23 QUESTIONS BY MR. CARTER:

24 Q. Can we mark as Exhibit ARB 3
25 the document at Tab 3 in the folder?

1 Mr. Galloway, this is a summary
2 chart that plaintiffs have prepared based on
3 the account statements produced by Al Rajhi
4 Bank of the distinct International Islamic
5 Relief Organization, or IIRO, accounts at Al
6 Rajhi Bank.

7 In preparation for your
8 deposition today, did you undertake to
9 determine how many accounts Al Rajhi Bank
10 maintained for the IIRO in the 1998
11 through 2002 time period?

12 MS. BEMBRY: Objection as to
13 form.

14 QUESTIONS BY MR. CARTER:

15 Q. You can answer.

16 MR. CURRAN: I think you did
17 answer. You can say it again.

18 THE WITNESS: Yes, I did do
19 that.

20 QUESTIONS BY MR. CARTER:

21 Q. And based on your inquiry, how
22 many accounts did you determine that the bank
23 was maintaining for the International Islamic
24 Relief Organization during the relevant time
25 period?

1 A. During the relevant time
2 period, the number is 308.

3 Q. So your inquiry determined that
4 there were 308 accounts at Al Rajhi Bank
5 during the 1998 through 2002 time period for
6 the IIRO?

7 A. That is correct. IIRO KSA, to
8 be clear.

9 Q. All right. When you say "IIRO
10 KSA," you're referring to the Saudi
11 International Islamic Relief Organization?

12 A. Yes.

13 MS. BEMBRY: Objection as to
14 form.

15 QUESTIONS BY MR. CARTER:

16 Q. And did you undertake to
17 determine why the IIRO had 308 separate
18 accounts at Al Rajhi Bank during the time
19 period?

20 MS. BEMBRY: Objection as to
21 form.

22 MR. CURRAN: You may answer.

23 THE WITNESS: Okay. I made
24 several inquiries, as we've just
25 discussed, for Al Haramain and was

1 told for similar reasons that new
2 accounts were opened every time there
3 was a new project over that period.

4 And I think the names appear to
5 reflect that.

6 QUESTIONS BY MR. CARTER:

7 Q. Who provided that information
8 to you?

9 A. Again, the same. Abulrhman
10 Almussaed.

11 Q. And do you know how he came to
12 that determination?

13 A. No, I do not.

14 Q. And do you know whether or not
15 he based that on any particular documents?

16 MS. BEMBRY: Objection as to
17 form.

18 MR. CURRAN: You may answer.
19 Unless there's an instruction not to
20 answer, you just go ahead.

21 THE WITNESS: Okay.

22 No, I do not have direct
23 knowledge of that.

24 QUESTIONS BY MR. CARTER:

25 Q. And just looking at the first

1 page, the sixth en -- or seventh entry down
2 refers to the Islamic Relief
3 Organization/Jeddah.

4 Do you see that?

5 A. Yes, I do.

6 Q. And three below that refers to
7 International Islamic Relief
8 Organization/Jeddah.

9 Do you see that as well?

10 A. Yes, I do.

11 Q. If each of the accounts was
12 established for a separate purpose, do you
13 understand why there would be multiple
14 accounts with the same name?

15 MS. BEMBRY: Objection as to
16 form.

17 MR. CURRAN: I join in that
18 objection.

19 You may answer.

20 THE WITNESS: No, I do not.

21 QUESTIONS BY MR. CARTER:

22 Q. And turning to page 3 of this
23 exhibit, you'll see a number of accounts that
24 are designated as IIRO - general donations.

25 Do you see that?

1 MS. BEMBRY: Sean, just note a
2 standing objection to the use of this
3 summary document.

4 THE WITNESS: If the question,
5 Mr. Carter, is do I see the items
6 you've highlighted, the answer is yes.

7 QUESTIONS BY MR. CARTER:

8 Q. And do you have any
9 understanding of what the purpose of those
10 accounts was?

11 MS. BEMBRY: Objection as to
12 form.

13 MR. CURRAN: Same objection. I
14 join in the standing objection as to
15 the use of the summary exhibit.

16 You may answer.

17 THE WITNESS: I have no direct
18 understanding.

19 QUESTIONS BY MR. CARTER:

20 Q. You testified earlier that your
21 review of the account information prompted
22 you to make inquiry concerning why there were
23 this number of accounts for -- in the case of
24 Al Haramain, correct?

25 MS. BEMBRY: Objection as to

1 form.

2 MR. CURRAN: I join in that
3 objection.

4 You may answer.

5 THE WITNESS: That is correct,
6 I did ask why there were so many
7 accounts.

8 QUESTIONS BY MR. CARTER:

9 Q. And as part of that, did you
10 ask whether there were multiple accounts with
11 the same name?

12 MS. BEMBRY: Objection as to
13 form.

14 THE WITNESS: I did not ask
15 that question.

16 QUESTIONS BY MR. CARTER:

17 Q. And in reviewing the documents
18 that you looked at in preparation, did you
19 see account statements for Al Haramain
20 Islamic Foundation that shared common names?

21 A. I do not recall seeing anything
22 like that.

23 Q. Do you know one way or the
24 other?

25 MR. CURRAN: Objection as to

1 form.

2 And now we're talking about Al
3 Haramain, I think, right?

4 THE WITNESS: I do not recall
5 seeing Al Haramain accounts with the
6 same names, no, if that's your
7 question.

8 QUESTIONS BY MR. CARTER:

9 Q. Do you recall that every Al
10 Haramain account you looked at had a distinct
11 name designation?

12 A. No, I do not.

13 Q. And the reason I pivoted to Al
14 Haramain is because we hadn't discussed what
15 prompted you to make inquiry concerning the
16 purpose of the IIRO accounts.

17 What -- why did you do that?

18 MS. BEMBRY: Objection as to
19 form.

20 THE WITNESS: My awareness of
21 the number of the accounts.

22 QUESTIONS BY MR. CARTER:

23 Q. And in reviewing the documents
24 relating to the IIRO accounts, did you notice
25 that any of the distinct accounts shared

1 common name designations?

2 A. No, I did not.

3 Q. Do you know whether some of
4 them shared common name designations one way
5 or the other?

6 A. No, I do not.

7 Q. In preparation for testifying
8 today, did you attempt to assess the volume
9 of funds that were moved through the Al
10 Haramain accounts during the period of 1998
11 through 2002?

12 MR. CURRAN: Objection to form.

13 And this is limited to Al
14 Haramain KSA, I assume.

15 You may answer.

16 MR. CARTER: Well, it's limited
17 to the Al Haramain accounts at the
18 bank.

19 MR. CURRAN: You may answer.

20 THE WITNESS: No, Mr. Carter, I
21 didn't go down to the total, look
22 through the accounts or to the
23 individual accounts.

24 QUESTIONS BY MR. CARTER:

25 Q. But you agree that the account

1 statements themselves would accurately
2 reflect the amount of funds that were moving
3 through those accounts during the relevant
4 time period?

5 A. Yes, it should.

6 Q. And is the same true for the
7 IIRO account statements?

8 MS. BEMBRY: Objection as to
9 form.

10 THE WITNESS: Yes, the same is
11 true.

12 QUESTIONS BY MR. CARTER:

13 Q. And to the extent that
14 transactions are reflected on Al Rajhi Bank's
15 account statements for the Al Haramain
16 Islamic Foundation, those would be
17 transactions that were carried out through Al
18 Rajhi Bank, correct?

19 MR. CURRAN: Objection as to
20 form.

21 You may answer.

22 THE WITNESS: That should be
23 correct, yes.

24 QUESTIONS BY MR. CARTER:

25 Q. And is the same true with

1 respect to the IIRO account statements?

2 MS. BEMBRY: Objection to the
3 form.

4 THE WITNESS: That should also
5 be correct.

6 QUESTIONS BY MR. CARTER:

7 Q. With respect to the individual
8 transactions reflected in the Al Haramain
9 account statements at Al Rajhi Bank, have you
10 seen any information reflecting that a
11 particular transfer was earmarked for a
12 particular purpose?

13 MR. CURRAN: Objection as to
14 form.

15 You may answer.

16 THE WITNESS: Can you clarify
17 your question, please?

18 QUESTIONS BY MR. CARTER:

19 Q. The account statements for Al
20 Haramain reflect individual transactions in
21 the form of both credits and debits, correct?

22 A. That's correct.

23 Q. And have you seen information
24 for any of those credits and debits
25 reflecting that a particular transaction was

1 earmarked for a particular purpose?

2 A. The payment itself would have
3 an annotation on it, if that's what you're
4 asking me.

5 Q. In every case?

6 A. In -- unless there was some
7 data missing for some reason.

8 Q. Where would that data be
9 maintained?

10 A. The data that's annotated to
11 the account, you're asking me?

12 Q. Yes.

13 A. It should be in the core
14 banking record.

15 Q. In what field?

16 A. There would be a transaction
17 field. I don't know the fields with intimate
18 detail, but there is a field --

19 Q. Okay.

20 A. -- that would be -- have the
21 detail of the transaction.

22 Q. And did you review any of that
23 detail with respect to the Al Haramain
24 transactions?

25 A. Directly myself, no, I did not.

1 Q. And to the extent that an
2 individual came to an Al Rajhi Bank branch
3 during this time period and made a donation
4 into an Al Haramain account, is it your
5 understanding that there should be some
6 indication in the system concerning the
7 purpose of that donation?

8 MR. CURRAN: Objection as to
9 form.

10 You may answer.

11 THE WITNESS: For transactions
12 made to an account, you would be
13 adding the -- you would be able to
14 identify the amount. But the -- any
15 purpose of that, not necessarily.

16 QUESTIONS BY MR. CARTER:

17 Q. And in preparation for the
18 deposition today, did you review any
19 individual transaction information relating
20 to the purpose of transactions?

21 A. No, I did not.

22 Q. And is that true for both the
23 Al Haramain and IIRO accounts?

24 A. Yeah, that is true.

25 There was review to say whether

1 transactions had gone to the accounts from
2 the bank, if there had been any donations
3 made, those sorts of things, as per your
4 question. So I'm a little unsure what you're
5 trying to ask me, to be honest.

6 Q. Well, we'll look at some
7 documents in a minute. I was just asking a
8 general question.

9 MR. CARTER: Can we take a
10 two-minute break?

11 MR. CURRAN: Yeah, we probably
12 better make it five.

13 VIDEOGRAPHER: Off record. The
14 time is 4:17.

15 (Off the record at 4:17 p.m.)

16 VIDEOGRAPHER: Back on record.
17 Time is 4:26.

18 QUESTIONS BY MR. CARTER:

19 Q. Mr. Galloway, as part of your
20 preparations concerning Al Rajhi Bank's
21 relationship with Al Haramain Islamic
22 Foundation during the 1998 through 2002 time
23 period, did you conduct inquiry to determine
24 what the bank knew about the nature of Al
25 Haramain and what it was doing?

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1 A. The onboarding of any
2 charitable entity has a due diligence
3 process, as you're probably aware, that
4 included making sure that the charitable
5 entity was not only following the KYC
6 process, but there was also a copy provided
7 of the relevant permission or license to
8 operate by the relevant government authority.

9 And in addition to that for
10 onboarding, we need to get details of the
11 directors of the charity as well.

12 Q. When did the protocols you just
13 described come into being?

14 A. I mentioned the branch manual
15 to you earlier, so it's as per the 1997
16 manual. I haven't gone back further than
17 that because it was outside the relevant
18 period.

19 Q. Based on the know your customer
20 information that has been provided, do you
21 know whether Al Haramain was onboarded before
22 or after 1997?

23 MR. CURRAN: Objection as to
24 form. Outside the scope of the
25 relevant time period.

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1 You may answer.

2 THE WITNESS: I don't have
3 direct knowledge of the account
4 opening date of every account, but the
5 account -- {audio interruption}

6 MR. CARTER: Chris, he just
7 froze, and we can't hear him.

8 THE WITNESS: Can you see us?

9 MR. CURRAN: Are we back?

10 THE WITNESS: Hello.

11 MR. CARTER: I cannot see the
12 witness right now. Not sure what
13 happened.

14 VIDEOGRAPHER: Want to go off
15 the record?

16 THE WITNESS: Are we back?
17 Hello. Hi. Can you hear us?

18 MR. CARTER: We can hear you,
19 yes.

20 THE WITNESS: Can you hear --
21 can you hear me and see me?

22 MR. CARTER: Yes.

23 THE WITNESS: I can hear you
24 and see you.

25 MR. CURRAN: We don't know what

1 happened either, but it was just the
2 witness' and not mine.

3 Okay. I think there was a
4 question pending or -- do you want to
5 answer it?

6 THE WITNESS: Yeah, perhaps you
7 could bring me back to where we were,
8 Mr. Carter.

9 MR. CARTER: Carrie, can you
10 read where we were?

11 (Court Reporter read back
12 question and partial answer.)

13 THE WITNESS: Yeah, the account
14 numbers that we discussed earlier for
15 Al Haramain being the 95, I know those
16 were accounts that were on foot during
17 the 1998 to 2002 period, but I don't
18 have the specific details of the
19 account onboarding dates, as I
20 mentioned.

21 QUESTIONS BY MR. CARTER:

22 Q. And with regard to the manual
23 you just described, to the extent that there
24 were changes in the procedures implemented
25 subsequent to the creation of the accounts

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1 and during the relevant period, do you know
2 whether there would have been steps taken to
3 update the onboarding information to comply
4 with the new procedures?

5 A. Can you hear me?

6 MR. CURRAN: Did you hear that,
7 Mr. Carter?

8 MR. CARTER: I couldn't hear an
9 answer, no.

10 THE WITNESS: I'm sorry. Can
11 you hear me now?

12 QUESTIONS BY MR. CARTER:

13 Q. I can.

14 A. Okay. Could you clarify for my
15 knowledge what you mean by "changes" to the
16 account?

17 Q. Sure.

18 So you mentioned earlier that
19 you are familiar with the concept of know
20 your customer processes, correct?

21 A. That's correct.

22 Q. And based on your experience in
23 the banking industry, is it fair to say that
24 they have evolved over time?

25 A. They have.

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1 Q. And do you know whether or not
2 the know your customer onboarding policies at
3 Al Rajhi Bank have changed over time?

4 A. Over the subject period you're
5 referring to or at any time?

6 Q. Over the -- over the subject
7 period.

8 A. There was some additional
9 measures made. You had one question about
10 that. If you don't mind directing me to
11 that, I can refer to my notes. I might be
12 able to help you better.

13 Q. I think it's encompassed by a
14 few of them. There's inquiry number 6.
15 Inquiry number 5. Number 8. I think all --

16 A. Yeah, perhaps -- thank you very
17 much. That's helpful.

18 Your inquiry 6, I think, is
19 probably the one that helps us.

20 The first thing I'd like to say
21 is that the -- if you read the manual, the
22 controls Al Rajhi Bank had in place were
23 already quite strong even by modern
24 standards, at least at a policy level.

25 And I had a discussion with the

1 chairman, Mr. Abdullah al Rajhi, about that,
2 and he made it clear to me that one of the
3 core sort of beliefs of the bank has been to
4 ensure that risk was well-managed.

5 I think you see that today in
6 our -- in our approach, our earn/loss ratios,
7 et cetera, as well as our performance with
8 the regulator and our orders, et cetera.

9 So having a strong, robust,
10 well-managed and inspected risk framework is
11 something that the bank has held dear as a --
12 as a core tenet.

13 In 1998, I'd like to just point
14 to the fact that a new AML policy was issued,
15 and that was in relation to SAMA's guide on
16 annual procedures, and that was implemented
17 at the bank.

18 And we also have a regular
19 process of branch audits, and that involves
20 inspecting for adherence to the policy and
21 the controls contained in that.

22 We have a zero appetite or zero
23 tolerance for any deviations from that, and
24 any accounts that are found to have deviated
25 are immediately reported. And the branch has

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1 to take corrective action, and then the issue
2 is reported as closed once that's been done.
3 There's a time-bound window to do that in.

4 Q. You mentioned an update to the
5 manual in 1998, correct?

6 A. That's correct. It was an AML
7 policy was issued with a guide to AML
8 procedures, and it was as a result of a 1996
9 SAMA circular.

10 I can give you the reference
11 number in the documents you have, if you wish
12 to look at it.

13 Q. Sure.

14 A. Yeah, it's ARB 738. 73 --
15 again, ARB 735. Correction, 735.

16 Q. And with regard to the update
17 of AML procedures in 1998, did that change
18 include any additional onboarding
19 requirements?

20 A. I am not aware of any specific
21 additional onboarding requirements, but
22 whenever an account, particularly a
23 charitable entity, was onboarded, there was
24 already a specific and different process with
25 additional controls for charities.

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1 Q. What control and process are
2 you referring to?

3 A. Yes. So, excuse me, it's just
4 very dry here. One moment.

5 With respect to onboarding a
6 charity, the requirement is that you need to
7 have the appropriate authority or
8 registration from the government entity that
9 controls that charity. And those government
10 entities control different charities, and you
11 would need to have a list of the directors
12 and the signatories for the account before it
13 could be opened.

14 And I believe, and I'm working
15 from memory, there was also a -- at a high
16 level of -- make a check a second level
17 authorization required to open those
18 accounts.

19 Q. And do you know when that
20 procedure that you just described was
21 implemented?

22 A. That was contained in the
23 branch manual I've referred to.

24 Q. And that's the 1997 branch
25 manual?

1 A. That's correct.

2 Q. And to the extent that accounts
3 were established prior to the creation of
4 that 1997 manual, would it have been
5 necessary to go back and request updated
6 information from charity account holders?

7 MR. CURRAN: Objection. Vague
8 as to which accounts you're talking
9 about.

10 But the witness can answer.

11 THE WITNESS: I've looked at
12 the relevant period, and as you know,
13 the branch manual preceded that. I
14 haven't gone and done a lookback to
15 see versions of the policy prior, so I
16 can't answer that question.

17 QUESTIONS BY MR. CARTER:

18 Q. Okay. Well, we can review some
19 of the documents, but Al Rajhi Bank has
20 produced documents indicating that there were
21 Al Haramain accounts in existence at least as
22 of 1994.

23 Have you seen those documents?

24 MR. CURRAN: Objection as to
25 form.

1 You may answer.

2 THE WITNESS: I haven't seen
3 those specific documents.

4 QUESTIONS BY MR. CARTER:

5 Q. And do you know one way or
6 another whether, to the extent the Al
7 Haramain accounts existed before 1997, there
8 would have been a requirement to review those
9 accounts and update them to conform to the
10 1997 manual requirements? If they were any
11 different.

12 A. Yeah, I think there --

13 MR. CURRAN: Objection to the
14 form.

15 You may answer.

16 THE WITNESS: Yeah, and there
17 seems to be an assumption there that
18 they are different. I don't know
19 that.

20 But what I can tell you is
21 that, A, we would follow the policy;
22 B, that it's inspected by the branch
23 audit team; and then C, the SAMA also
24 does thematic audits on occasion. And
25 then if there was any major issue, it

1 would also be picked up by external
2 auditors.

3 So we had multiple levels of
4 assurance against the adherence to the
5 policy.

6 QUESTIONS BY MR. CARTER:

7 Q. And have you seen as part of
8 your preparations any audit documents that
9 encompassed any of the Al Haramain accounts?

10 A. I have not seen specific
11 documents, but I've spoken to internal audit.

12 Q. Okay. And in your
13 conversations with internal audit, did they
14 identify any audits that encompassed the Al
15 Haramain accounts during the '98 through 2002
16 time period?

17 A. Not on those specific accounts,
18 but I wasn't asking about Al Haramain
19 specifically. I was asking about their
20 process to inspect and assure that the
21 policies were applied, and that was some of
22 the content that I just gave you in my
23 previous answer.

24 Q. Do you know one way or another
25 whether audits conducted for compliance

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1 purposes between '98 and 2002 encompassed any
2 of the Al Haramain accounts?

3 A. I don't know that definitively,
4 no.

5 Q. And same question for IIRO.

6 A. No, I don't know that
7 definitively either.

8 But I can tell you as I
9 mentioned earlier, that if anything is found
10 as a result of the audit, there's a
11 time-bound process to ensure that those
12 accounts or issues are dealt with and closed,
13 and that has to be reported as same.

14 Q. And would that information be
15 included in the customer information file?

16 A. It will certainly be in the
17 audit report. And any update to the customer
18 information, I assume, must be put back into
19 the customer information file.

20 Q. And the audits are conducted at
21 the branch level, correct?

22 A. That's correct. We have around
23 600 branches, and they were initially on an
24 annual basis at each branch. And then as we
25 got more branches, it was more based on a

1 risk approach.

2 But every branch is audited
3 regularly, together with SAMA doing thematic
4 audits. And as I said, A, an external
5 auditor as well.

6 Q. And with regard to the branch
7 audits during the time period 1998
8 through 2002, do those still exist, the
9 reports?

10 A. We have a no destruction policy
11 on document retention, so they should be
12 there.

13 Q. And where are those located?

14 A. They will be in a central
15 archive, and we'll be able to search them
16 using the tools we described earlier. And
17 they're also being used as the basis to find
18 the information you've been provided with.

19 Q. And to the extent that any of
20 those audits encompassed accounts of Al
21 Haramain and/or IIRO, would you be able to
22 identify that fact?

23 MR. CURRAN: Objection as to
24 form.

25 You may answer.

1 THE WITNESS: I can assume so.

2 I can't tell you definitively, but I
3 would assume, yes, because we could
4 tell at least what had been audited.

5 I don't know how easy it would
6 be to go and see the individual
7 accounts. I can't answer that
8 question for you at the level you're
9 asking.

10 QUESTIONS BY MR. CARTER:

11 Q. And you mentioned something
12 about thematic audits?

13 A. Yeah. SAMA comes and does
14 reviews of banks. This is what I meant.

15 MR. CURRAN: He was just
16 making -- he decided to comment. I'm
17 sorry.

18 QUESTIONS BY MR. CARTER:

19 Q. Yeah.

20 And the question is, can you
21 explain to me what a thematic audit by SAMA
22 is?

23 MR. CURRAN: So you guessed
24 right.

25 THE WITNESS: So SAMA would

1 choose a particular area of interest,
2 and they might come and do audits
3 about that particular area of
4 interest.

5 QUESTIONS BY MR. CARTER:

6 Q. Do you know whether SAMA
7 conducted any thematic audits between 1998
8 and 2004 relating to charitable
9 organizations?

10 A. I do not know that.

11 Q. With regard to the bank's
12 knowledge of the activities of Al Haramain, I
13 believe you testified that the bank was aware
14 that it at least purported to conduct
15 charitable activities, correct?

16 A. If they were a licensed
17 charity, that's correct.

18 Q. And when you say they were a
19 licensed charity, is there a document
20 reflecting that license that you're aware of?

21 A. Yeah. Can you just direct me
22 to the area in your question guide, please?

23 Q. In candor in this case,
24 Mr. Galloway, I'm responding to your
25 statement, and so I'm not exactly sure where

1 it would appear in your outline.

2 A. Okay. So could the
3 stenographer please read back the question to
4 me?

5 (Court Reporter read back
6 question.)

7 THE WITNESS: Yeah, there would
8 be a document in the customer
9 information file.

10 QUESTIONS BY MR. CARTER:

11 Q. And do you recall having
12 reviewed that document in preparation for the
13 deposition today?

14 A. I believe -- I've had
15 discussions about it, and I'm just trying to
16 find a note, if I have it. But I established
17 that we had that information when I looked.

18 (Al Rajhi Bank 30(b)(6) Exhibit
19 ARB 4 marked for identification.)

20 QUESTIONS BY MR. CARTER:

21 Q. Okay. Can we mark as the next
22 exhibit the document at Tab 34?

23 A. Mr. Carter, while I'm doing
24 that, I'll just remind that we needed that to
25 open the accounts.

1 Q. You needed a license to open
2 the accounts in the first instance?

3 A. Correct. Based on the policy I
4 was describing to you.

5 Q. And the policy you were
6 describing to me, was that applicable to each
7 account that was opened?

8 A. Yes, it should be true.

9 Q. Okay. So every time a customer
10 wants to open a new account, there should
11 have been the same opening process conducted,
12 correct?

13 MR. CURRAN: Objection as to
14 form.

15 You may answer.

16 THE WITNESS: Yeah, that's
17 correct. If the -- if they're all
18 clustered under one CIC, that may not
19 have been necessary because there
20 would have been accounts under that.

21 For sure if they're a
22 standalone account, that was required.

23 QUESTIONS BY MR. CARTER:

24 Q. When you say "clustered" under
25 the same -- I'm sorry, I didn't hear what you

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1 said.

2 A. So if you have individual
3 accounts, they can be standing alone. Or you
4 can have a parent CIC, and the accounts can
5 be put under the parent CIC.

6 Q. And what is a CIC?

7 A. Customer information code.
8 It's an identifying number.

9 Q. And how does the bank -- how
10 did the bank determine whether a new account
11 is clustered under the same CIC or separate?

12 A. Well, an individual account is
13 an individual account, but there may be
14 customers who want multiple accounts with one
15 identifier number.

16 Q. And when you say "one
17 identifier number," is that a customer
18 number?

19 A. Yeah, this is a CIC number I've
20 referred to. So you would have a CIC, and
21 then you would have account numbers under the
22 CIC.

23 Q. And do you happen to know
24 whether the Al Haramain accounts were
25 clustered under a common CIC?

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1 A. Yeah, if you give me a moment.

2 There was a -- your question is
3 relating to pre-9/11 or at any time?

4 Q. Pre-9/11.

5 A. I don't know that specifically
6 for pre-9/11.

7 Q. So focusing on the period from
8 1998 through 2002, do you know whether the
9 procedures would have required independent
10 customer-opening protocols for each account,
11 or could they have been clustered under the
12 same CIC?

13 A. I would have to read the branch
14 manual, but if it was an individual account,
15 they would have had to have had the
16 registration for the charity.

17 And then in the individual
18 accounts, when they would work together under
19 a CIC, as long as they were associated with
20 the parent, I assume that the CIC label
21 identification would be sufficient. But
22 I'm -- I don't have a document to be able to
23 verify that.

24 Q. Do you know during the period
25 1998 through 2002 whether the opening of a

1 new account by Al Haramain for a different
2 charitable purpose would have required it to
3 provide information concerning the reason for
4 that account and the activity it was being
5 created to support?

6 MR. CURRAN: Objection to form.

7 You may answer.

8 THE WITNESS: What I can tell
9 you, on the 30th of April 2003,
10 they -- there was correspondence where
11 we noted that we consolidated all Al
12 Haramain accounts according to a SAMA
13 directive under a single CIC.

14 So this was correspondence 30th
15 of April, and you're right, it is with
16 the manager of the head office branch
17 right to the SAMA deputy government to
18 confirm actions required to
19 consolidate all Al Haramain accounts,
20 according to SAMA directive, had been
21 completed.

22 QUESTIONS BY MR. CARTER:

23 Q. And what is the -- sorry. You
24 may finish. I'm sorry.

25 A. At the same time, the branches

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1 was also instructed not to make international
2 transfers from Al Haramain KSA accounts and
3 make sure that all checks on Al Haramain were
4 crossed. And that means that they were
5 account paying, not bearer checks.

6 So there were additional
7 activities undertaken to do that.

8 Q. Those were new instructions
9 from SAMA in that time period?

10 A. That's right.

11 Q. Do you know why SAMA issued
12 those instructions?

13 A. These would have been
14 activities that SAMA directed as a result of
15 the bank's self supervisory committee, I
16 believe, which was formed after 9/11.

17 Q. Do you know whether they were
18 prompted by any counterterrorism financing
19 considerations?

20 MR. CURRAN: Objection. Vague.
21 You may answer.

22 THE WITNESS: I know that after
23 9/11, the response of SAMA was to call
24 a bank self supervisory committee
25 which was made up of all of the banks.

1 And at the time they were operating in
2 order to try to understand the actions
3 that might need to be taken to either
4 constrict accounts of people that are
5 now known to be bad actors or make
6 other changes in controls consistent
7 with SAMA directives.

8 QUESTIONS BY MR. CARTER:

9 Q. And do you know whether any
10 actions were undertaken with regard to the
11 IIRO accounts in response to those
12 directives?

13 MS. BEMBRY: Objection to form.

14 MR. CARTER: Aisha, what's the
15 objection?

16 MS. BEMBRY: Foundation.

17 MR. CARTER: I'm asking him if
18 he knows.

19 Go ahead.

20 MS. BEMBRY: Foundation
21 objection.

22 THE WITNESS: Yeah. On May 23,
23 2003, there was a SAMA circular. It
24 was addressed to all banks relating to
25 charity accounts, and it required

1 charities to consolidate all accounts
2 under a single master account with
3 subaccounts. This is the structure I
4 was describing to you.

5 It also, in the SAMA circular,
6 required withdrawals only from the
7 master account, not the subaccounts.
8 No withdrawals by cash and ATM cards,
9 and all depositors must identify
10 themselves and match details on the
11 deposit slips with their ID. And
12 checks drawn on the charity master
13 account can only be deposited in KSA
14 domiciled accounts.

15 That was all in the SAMA
16 directive. I can give you the
17 reference if that's --

18 QUESTIONS BY MR. CARTER:

19 Q. Yeah, what's the Bates number?
20 I'm sorry.

21 A. ARB 14531.

22 Q. Going back to our discussion
23 earlier, I believe you testified that based
24 on your review, you identified 95 Al Haramain
25 accounts at Al Rajhi Bank in the 1998

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1 through 2002 time period, correct?

2 A. 95 on Al Haramain, that's
3 correct. Al Haramain KSA. I'd like to make
4 that clear, please.

5 Q. And when you say "Al Haramain
6 KSA," what is the basis of your understanding
7 that those were all Al Haramain KSA?

8 A. That's my understanding from
9 the checks that have been done at the bank.

10 Q. And who provided that
11 information to you?

12 A. Abulrhman Almussaed.

13 Q. And we'll get to that in a
14 second.

15 With regard to the 95 accounts
16 that you identified in your preparations for
17 Al Haramain, do you know whether they were
18 opened under a common CIC?

19 A. I do not know that directly,
20 no.

21 Q. And I believe that with regard
22 to the IIRO, your review indicated that there
23 were 308 accounts at Al Rajhi Bank in the
24 1998 through 2002 time period, correct?

25 A. That's correct.

1 Q. And did you undertake inquiry
2 to determine whether those accounts were
3 opened under a common CIC?

4 MR. CURRAN: Objection. Vague.
5 You may answer.

6 THE WITNESS: I did not make
7 that direct inquiry, no.

8 QUESTIONS BY MR. CARTER:

9 Q. Do you know one way or the
10 other whether those accounts were opened
11 under a common CIC?

12 A. I --

13 MR. CURRAN: Objection. Vague.
14 You may answer.

15 THE WITNESS: I do not know the
16 answer to that.

17 QUESTIONS BY MR. CARTER:

18 Q. We had marked an exhibit before
19 we briefly got sidetracked. And I apologize.
20 What number is this?

21 GINA VELDMAN: It's number 4,
22 and it was Tab 34.

23 MR. CARTER: Thank you, Carrie
24 {sic}.

25

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1 QUESTIONS BY MR. CARTER:

2 Q. Mr. Galloway, just ask you to
3 take a moment to review the document that has
4 been marked as Exhibit 4, and we have -- it's
5 a three-page document, ARB 39945
6 through 39947, and the exhibit includes the
7 English translation and the original Arabic
8 versions.

9 A. Yeah, I have the document. I
10 can see it's a multipage document.

11 Q. And have you seen this document
12 previously?

13 A. I believe I have.

14 Q. Okay. And based on the
15 content, I understand this to be a letter
16 from Abdullah Bin Sulaiman Al Rajhi dated
17 February 25, 2004, to the Minister of Islamic
18 Affairs, Sheikh Saleh bin Abdel Aziz bin
19 Mohamed Al ash-Sheikh.

20 Is that correct?

21 A. That appears to be the case
22 based on the document you have on the screen,
23 yes.

24 Q. Okay. And the first paragraph
25 references a SAMA circular dated May 14,

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1 2002, mandating that it's not permissible to
2 open any account for any charity entity
3 before obtaining a permit.

4 Do you see that?

5 A. Yes, I do see that.

6 Q. And am I correct in
7 understanding your earlier testimony that
8 that was the internal protocol at Al Rajhi
9 Bank, at least as of 1997?

10 A. Yes, that's true.

11 Q. And in the second paragraph,
12 Mr. Al Rajhi advises the Minister of Islamic
13 Affairs that "Since there is no permit from
14 the competent agencies for the Al Haramain
15 Islamic Foundation to operate the charity
16 work according to the documents provided by
17 the Al Haramain Islamic Foundation to the
18 company when opening its accounts, please
19 authorize your competent agency to issue the
20 required permit."

21 Do you see that?

22 A. Yes, I do see that.

23 Q. And so to the extent that there
24 was no permit provided to Al Rajhi Bank in
25 relation to the opening of its accounts prior

1 to this point in time, would that have been a
2 violation of Al Rajhi Bank's own protocols --

3 A. I --

4 MR. CURRAN: Objection. Sorry.

5 QUESTIONS BY MR. CARTER:

6 Q. -- at least as of 1997?

7 A. No.

8 MR. CURRAN: Objection. Lack
9 of foundation. Vague.

10 You may answer.

11 THE WITNESS: I do have some
12 information on this matter, if you can
13 just give me a few moments.

14 QUESTIONS BY MR. CARTER:

15 Q. Sure.

16 MR. CURRAN: Mr. Carter, are
17 you asking questions under Section 3H
18 now of your notice?

19 MR. CARTER: Chris, I'll have
20 to look, but I'm asking questions
21 primarily in response to testimony the
22 witness has volunteered.

23 MR. CURRAN: All right. But
24 I -- you're still bound by the scope
25 of your deposition notice, so I just

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1 want to get clarification on that.

2 MR. CARTER: I'm not sure that
3 the -- that I'm bound by the notice
4 and restricted from asking the
5 questions of the witness about
6 information he volunteers.

7 MR. CURRAN: Well, put it this
8 way. His authorization to speak on
9 behalf of Al Rajhi Bank is limited by
10 the topics in your notice, so to the
11 extent you exceed those topics, you
12 may not attribute the testimony to Al
13 Rajhi Bank.

14 MR. CARTER: And so I gather
15 then that to the extent the witness
16 volunteers information beyond the
17 topics, you would agree that he's not
18 testifying for the bank?

19 MR. CURRAN: Well, I do agree
20 with that, sure.

21 Anyway, I just wanted to
22 confirm which category this fell
23 under. But anyway, please proceed.

24 Is there a question pending?

25

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1 QUESTIONS BY MR. CARTER:

2 Q. Sure. Why don't we start a new
3 one.

4 Mr. Galloway, during your
5 earlier testimony, you told me that one of
6 the requirements of Al Rajhi Bank, at least
7 as of 1997, was that an account could not be
8 opened for a charitable organization without
9 a permit or license to do the charitable
10 work.

11 Is that what you told me?

12 A. Yes, that's right.

13 There was -- your letter is
14 dated February 25, 2004, correct?

15 Q. It is. It's not my letter.

16 MR. CURRAN: The letter that
17 Mr. Carter has put on the screen.

18 QUESTIONS BY MR. CARTER:

19 Q. Mr. Galloway, do you --

20 A. This -- yeah, the -- on January
21 the 4th, there was a letter by the bank to
22 SAMA to request clarity on future dealings
23 with some charity, including IIRO and Al
24 Haramain. But predating this letter that's
25 on the screen.

1 And Mr. Abdullah al Rajhi notes
2 that Al Haramain Islamic Foundation is
3 already licensed.

4 Q. Mr. Galloway, this is the
5 Abdullah al Rajhi who is the chairman whom
6 you interviewed?

7 A. That's right.

8 Q. And in preparation for your
9 deposition today, did you seek to ascertain
10 whether or not there was, in fact, a permit
11 or a license for Al Haramain on file at the
12 time of the opening of its accounts?

13 MR. CURRAN: Objection. Vague
14 and overbroad. Encompassing all
15 accounts, apparently.

16 The witness may answer.

17 THE WITNESS: Yeah, there was a
18 sequence of events that came off the
19 back of this letter. So February 25,
20 2004, which I believe is the letter
21 that you have on the screen, there was
22 a letter from the bank to the Ministry
23 of Islamic Affairs requesting
24 confirmation that all Al Haramain
25 charitable foundations have a license

1 from the competent authority to carry
2 out charitable work.

3 And there was a March 13, 2004
4 letter from Ministry of Islamic
5 Affairs stating that Al Haramain is
6 authorized to carry out charitable
7 work.

8 And then there was a 10
9 March 2021 -- sorry, March 21, 2004,
10 the Ministry of Justice stated that Al
11 Haramain, IIRO and others -- other
12 organizations were legally established
13 and permitted to operate under the law
14 in KSA.

15 So to me, that shows quite some
16 diligence to try and ensure that we
17 were compliant.

18 QUESTIONS BY MR. CARTER:

19 Q. And that diligence occurred in
20 2004, correct?

21 A. The last -- yeah, the 2004.
22 March 21 is the date of the last letter.

23 Q. Do you know, based on your
24 preparations for the deposition, whether the
25 statement in this letter indicating that

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1 there is no permit from the competent
2 agencies for the Al Haramain Islamic
3 Foundation to operate the charity work
4 according to the documents provided by the Al
5 Haramain Islamic Foundation to the company
6 when opening its accounts, was true as of the
7 date this letter was authored?

8 MR. CURRAN: Objection. Lack
9 of foundation. Vague and overbroad as
10 to "accounts."

11 The witness may answer.

12 THE WITNESS: This was
13 post-9/11/2001, and there was a SAMA
14 instruction that banks weren't to
15 close any accounts immediately after.

16 So what I believe this letter
17 was trying to do was to establish who
18 the competent authority was and ensure
19 that we did get a license. And that
20 set of steps that we took as a bank, I
21 think, were designed to do that and
22 succeeded in doing that.

23 QUESTIONS BY MR. CARTER:

24 Q. Mr. Galloway, that's not the
25 question I asked. I just asked whether or

1 not you know whether the statement in this
2 letter in the section paragraph, based on
3 your preparations, is true or not.

4 MR. CURRAN: Objection. Vague.
5 Overbroad. Lacks foundation.

6 You may answer.

7 THE WITNESS: I don't know that
8 that's true because subsequently the
9 correspondence found out that it was
10 licensed. So I think this is
11 reflecting an uncertainty that might
12 have led to the chain of events that
13 I've described.

14 QUESTIONS BY MR. CARTER:

15 Q. Well, the letter actually says
16 affirmatively that there is no permit from
17 the competent agencies, according to the
18 documents provided to the company when
19 opening its accounts.

20 A. Yes.

21 MR. CURRAN: Objection.

22 QUESTIONS BY MR. CARTER:

23 Q. So the question is, is that --
24 do you know, based on your preparations,
25 whether that is an accurate statement at the

1 time it was made?

2 MR. CURRAN: At the time it was
3 made.

4 The witness may answer.

5 THE WITNESS: To me, it
6 indicates more of a lack of certainty
7 about whether there was -- it was
8 licensed.

9 I think it's -- it appears to
10 be noting the requirement, and that
11 led then for -- the requirement for a
12 license. And that led to a series of
13 correspondence following that to
14 ensure it was. And ultimately, it was
15 confirmed that it was.

16 QUESTIONS BY MR. CARTER:

17 Q. Okay. I don't want to circle
18 around this endlessly. The letter indicates
19 that there is no permit on file.

20 Do you know whether or not that
21 is true?

22 MR. CURRAN: Objection.

23 Misstates the letter. Lack of
24 foundation. Vague and overbroad.

25 You may answer.

1 THE WITNESS: I do not know
2 that that is true.

3 QUESTIONS BY MR. CARTER:

4 Q. And you agree with me that the
5 Al Rajhi Bank official who authored this
6 letter and provided the information to the
7 Minister of Islamic Affairs was the current
8 chairman, Abdullah al Rajhi?

9 A. I agree that his name is on the
10 bottom of the letter, but as I've said a
11 number of times, the bank took steps to
12 contact multiple government departments to
13 confirm whether it was in compliance with Al
14 Haramain.

15 And I can point you to a letter
16 on the 14th of May where there was a SAMA
17 circular saying that a license from the
18 Ministry of Labor or the Ministry of Islamic
19 Affairs required to practice activity for the
20 account opening purpose.

21 And then on the 30th of --
22 sorry, 20th of April, SAMA instructed banks
23 to consolidate.

24 My apologies. I think that was
25 in relation to your earlier question.

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1 Could you read back the
2 question, please?

3 MR. CURRAN: I think he's
4 asking whether Al Haramain was
5 licensed at the time the accounts were
6 opened by the bank previously.

7 Isn't that right, Mr. Carter?

8 MR. CARTER: No. I'm asking
9 whether he knows one way or another
10 whether the statement in this document
11 that no permanent from the -- no
12 permit from the competent agencies for
13 Al Haramain Islamic Foundation to
14 operate the charity work was provided
15 by Al Haramain to Al Rajhi Bank when
16 opening its accounts.

17 MR. CURRAN: Well, which
18 accounts are you referring to?

19 MR. CARTER: I'm referring to
20 the letter. It's Al Rajhi Bank's
21 business record. It includes a
22 statement, and I'm asking the witness
23 whether or not in his preparations he
24 ascertained whether or not that
25 information was correct.

1 MR. CURRAN: Same objection.

2 The witness may answer.

3 THE WITNESS: Well, what I can
4 say, Mr. Carter, is there was a series
5 of inquiries to ensure that we were in
6 compliance.

7 QUESTIONS BY MR. CARTER:

8 Q. And, Mr. Galloway, I have
9 limited time, and I've asked a specific
10 question many times now. And I'm just simply
11 asking whether you know, based on your
12 preparations, one way or the other, whether
13 the statement in the second paragraph of this
14 letter is accurate.

15 A. I think it is saying that we
16 wanted to get certainty that it was licensed,
17 I believe, and that led to a sequence of
18 correspondence that resulted in the bank
19 confirming that it was.

20 MR. CURRAN: You've got your
21 answer, Mr. Carter.

22 MR. CARTER: I'm not sure I do,
23 but we can address that in another
24 way.

25

1 QUESTIONS BY MR. CARTER:

2 Q. Going back to the bank's
3 understanding of Al Haramain Islamic
4 Foundation's activities, was Al Rajhi Bank --
5 were you able to determine what knowledge Al
6 Rajhi Bank had concerning the locations where
7 Al Haramain was carrying out charity work?

8 A. Can you clarify the question?

9 Do you mean the -- locations
10 meaning in KSA versus out of KSA? Is that
11 what you're asking?

12 Q. Yes.

13 A. Yeah, they were KSA accounts.
14 Al Haramain KSA.

15 Q. Do you happen to know whether
16 any of those accounts were created to support
17 charitable activities being carried out
18 outside of The Kingdom?

19 A. To the best of my knowledge,
20 they weren't.

21 Q. Would that have been relevant
22 information the bank would have wanted to
23 know in opening those accounts?

24 MR. CURRAN: Objection. Vague

25 and overbroad.

1 QUESTIONS BY MR. CARTER:

2 Q. Sorry, is there an answer?

3 A. What I can tell you is that on
4 the Octo -- October 17, 1997, Al Haramain KSA
5 was properly licensed and authorized to
6 operate. And the source of that is the
7 Ministry of Islamic Affairs letter of
8 October 17, 1997, that Al Haramain was acting
9 under the Ministry's supervision. And the
10 reference to that is 38901.

11 Q. We'll get to that, but I don't
12 think it responds to the question I asked.

13 A. Well, it predates the date of
14 this letter.

15 MR. CARTER: Can you read back
16 the question I asked last?

17 (Court Reporter read back
18 question.)

19 MR. CURRAN: You may answer.

20 But, Mr. Carter, I note that
21 your letter is still on the screen in
22 front of the witness, and he's trying
23 to be responsive.

24 QUESTIONS BY MR. CARTER:

25 Q. Sorry, I'm not in control of

1 taking it down. So we should take it down.

2 MR. CURRAN: Do you understand
3 the question?

4 THE WITNESS: No, I don't.

5 QUESTIONS BY MR. CARTER:

6 Q. Mr. Galloway, based on your
7 preparation, do you know whether any of the
8 Al Haramain accounts at Al Rajhi Bank were
9 established to support Al Haramain activities
10 outside of The Kingdom?

11 A. No, not to the best of my
12 knowledge.

13 Q. Can we -- and for purposes of
14 opening accounts under the bank's own
15 procedures during 1998 through 2002, would it
16 have been relevant to ascertain whether an
17 account was being opened for purposes of
18 activities carried out outside of The
19 Kingdom?

20 MR. CURRAN: Objection. Vague
21 and overbroad.

22 You may answer.

23 THE WITNESS: To the best of my
24 knowledge, we didn't open accounts for
25 charitable work overseas.

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1 (Al Rajhi Bank 30(b)(6) Exhibit
2 ARB 5 marked for identification.)

3 QUESTIONS BY MR. CARTER:

4 Q. Can we mark as Exhibit 5 the
5 document at Tab 73?

6 Mr. Galloway, this is a
7 document produced by Al Rajhi Bank at
8 Bates 38116.

9 Have you seen this document in
10 preparation for your deposition?

11 A. No, I have not seen this
12 document.

13 Q. Okay. And based on the
14 content, it -- the heading is that this is
15 the Al Haramain Islamic Foundation's account
16 numbers with the Al Rajhi Banking &
17 Investment Corp.

18 Do you see that?

19 A. I can see the highlighted
20 section, yes.

21 Q. Okay. And turning to the
22 second account identified, do you see that it
23 refers to the Asia committee?

24 A. Yes, I can see that.

25 Q. Okay. And then in the

1 description of the account across from that,
2 do you see that it refers to Palestine and
3 Chechnya?

4 A. I can see that.

5 Q. Do you happen to know whether
6 or not this account was created to support Al
7 Haramain activities in Palestine and
8 Chechnya?

9 A. I do not know that.

10 Q. To the extent that it was
11 created to support Al Haramain activities in
12 Palestine and Chechnya, would that
13 information have been relevant for know your
14 customer purposes when opening this account?

15 MR. CURRAN: Objection. Vague
16 and overbroad.

17 You may answer.

18 THE WITNESS: Well, the
19 requirements for opening the account
20 were as I described to you earlier.
21 You had to know the charity, you had
22 to know it was registered, and you had
23 to know the directors and the
24 signatures. And then you had to
25 ensure that there was appropriate

1 level of authority granted to open the
2 account.

3 QUESTIONS BY MR. CARTER:

4 Q. Okay. And moving down, you see
5 that there's an account described as the
6 Africa committee? Correct?

7 A. I don't see that. Oh, yeah, I
8 do now see it.

9 Q. And there's another for the
10 Europe committee.

11 Do you see that?

12 A. No, I do not. Oh --

13 Q. It's at number 5.

14 A. Yeah.

15 Q. Do you see that?

16 A. Yes, I do.

17 Q. And across from that, do you
18 agree that it refers to Albania, Bosnia and
19 Kosovo?

20 A. I see those words on the
21 screen.

22 Q. And number 7 refers to the
23 Zakat committee, correct?

24 A. That's what it says on the
25 screen.

1 Q. And then the description of it
2 is Zakat outside of the Saudi Kingdom,
3 correct?

4 A. That is also what it says on
5 the screen.

6 Q. So based on this description of
7 the accounts, do you know one way or another
8 whether Al Rajhi Bank's accounts for Al
9 Haramain included accounts for activities
10 being carried out outside of The Kingdom?

11 MR. CURRAN: Objection. Vague
12 as to time frame.

13 You may answer.

14 THE WITNESS: Can you repeat
15 again, please?

16 QUESTIONS BY MR. CARTER:

17 Q. Well, you testified earlier
18 that it was your understanding that the
19 accounts that Al Rajhi Bank opened for Al
20 Haramain were solely for purposes of
21 activities in The Kingdom.

22 Is that correct?

23 A. That was my understanding.

24 Q. And I'm now showing you this
25 document, and I'm asking whether or not based

1 on this document you still believe that to be
2 the case.

3 MR. CURRAN: Same objection.

4 You may answer.

5 THE WITNESS: It's an Al
6 Haramain document, not an Al Rajhi
7 document. I'm not sure.

8 QUESTIONS BY MR. CARTER:

9 Q. Okay. So it was provided to
10 us, the plaintiffs, by Al Rajhi Bank from its
11 files.

12 So this is -- you would agree
13 with me that this is information that was
14 available to Al Rajhi Bank, correct?

15 MR. CURRAN: Objection as to
16 form with respect to time frame.

17 You may answer.

18 THE WITNESS: If provided by Al
19 Rajhi Bank, I would assume that's
20 correct, yes.

21 QUESTIONS BY MR. CARTER:

22 Q. And going down to the notation
23 below the chart itself, it says, "Please
24 deposit the donations allocated to a specific
25 country to the account of the concerned

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1 committees - Asia committee, Europe
2 committee, Africa committee."

3 Do you see that as well?

4 A. Yes, I do.

5 Q. And do you agree that's
6 referencing donations for countries that are
7 outside of Saudi Arabia?

8 A. Well, it would be -- it would
9 be to accounts inside Saudi Arabia.

10 Q. It refers to where the
11 donations are being allocated.

12 A. Yes. But the accounts were
13 held in Saudi Arabia, no?

14 Q. Okay. But the line of
15 questioning that we're involved in right now
16 is whether or not certain of the accounts in
17 Saudi Arabia were established to support
18 activities conducted outside of The Kingdom.

19 Do you recall that that's what
20 we were discussing?

21 MR. CURRAN: Objection. Lack
22 of foundation.

23 You may answer.

24 THE WITNESS: I can't be sure
25 from what's written here, no.

1 QUESTIONS BY MR. CARTER:

2 Q. The last sentence of that
3 statement, or note, beneath the chart says,
4 "The deposit notice, together with the
5 purpose of the donation, shall be sent to fax
6 number 4623306."

7 Do you see that?

8 A. Yeah, I do.

9 Q. In your preparations, did you
10 obtain any information about a procedure
11 under which the bank would fax a deposit
12 notice and a purpose of the donation to Al
13 Haramain?

14 A. I have no direct knowledge of
15 that, no.

16 Q. And do you have any
17 understanding where a fax like that to Al
18 Haramain would have been filed?

19 MR. CURRAN: Objection. Lack
20 of foundation.

21 You may answer.

22 THE WITNESS: You're saying
23 that's an Al Rajhi fax number?

24 QUESTIONS BY MR. CARTER:

25 Q. No. I'm not -- I'm not saying

1 that at all. I don't know whose fax number
2 it is.

3 A. So what -- could you repeat the
4 question then so I can understand what you
5 wanted me to answer?

6 Q. My reading of the sentence is
7 that it is requesting that Al Rajhi Bank send
8 the deposit notice, together with the purpose
9 of the donation, to a particular fax number.

10 Do you -- did you, in your
11 preparations, come across any information
12 about such a procedure relating to the Al
13 Haramain accounts?

14 A. I'm not aware of that
15 procedure, no.

16 Q. And do you have any idea where
17 communications of that nature would be
18 archived based on your preparations for the
19 deposition?

20 A. I could assume they might be in
21 the customer information file, but I don't
22 know that definitively.

23 Q. And with regard to the customer
24 information file, would there be any
25 individual customer information files at each

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1 of the branches where accounts were
2 maintained?

3 A. Initially, and then now they're
4 being consolidated to central archive, I
5 recall, from around 2002.

6 (Al Rajhi Bank 30(b)(6) Exhibit
7 ARB 6 marked for identification.)

8 QUESTIONS BY MR. CARTER:

9 Q. Can we mark as the next exhibit
10 the document at Tab 39?

11 Take a moment and review that
12 document, Mr. Galloway.

13 A. Yeah, I've read it.

14 Q. Okay. This is a document
15 produced by Al Rajhi Bank at 40258, and on
16 its face it appears to be a letter on Muslim
17 World League International Islamic Relief
18 Organization Saudi Arabia letterhead to the
19 director of Al Rajhi Banking & Investment
20 Corp., Al Sharafeyah branch; is that correct?

21 A. It appears to be so.

22 Q. And have you had occasion to
23 review this document prior to this morning?
24 Or today? Sorry.

25 A. No, I have not reviewed this

1 particular document.

2 Q. Okay. In the first paragraph
3 of the letter, it refers to an earlier letter
4 dated September 24, 2002, about assigning
5 responsibility to send a circular to all
6 local branches about not transferring any
7 amounts to a combined account.

8 Do you see that?

9 A. I do see that.

10 Q. And in your preparations for
11 today's deposition relating to the bank's
12 relationship with the IIRO, did you have
13 occasion to conduct an inquiry to find out
14 what that was about?

15 MS. BEMBRY: Objection. Vague.

16 THE WITNESS: No, I did not.

17 QUESTIONS BY MR. CARTER:

18 Q. Beneath that, it talks about
19 balances being transferred to our following
20 accounts. And the second to last account
21 referenced is Martyrs of Al Aqsa Orphans.

22 Do you see that?

23 A. Yes, I do see that.

24 Q. And do you know what Martyrs of
25 Al Aqsa Orphans refers to?

1 MS. BEMBRY: Objection. Lack
2 of foundation.

3 MR. CURRAN: Same objection.
4 You may answer.

5 THE WITNESS: I have no direct
6 knowledge of that.

7 QUESTIONS BY MR. CARTER:

8 Q. And in your preparations for
9 today's deposition, did you come across
10 information indicating that Al Rajhi Bank
11 maintained an account for the International
12 Islamic Relief Organization in the name
13 Martyrs of Al Aqsa Orphans?

14 MR. CURRAN: Objection. Lack
15 of foundation.

16 You may answer.

17 MS. BEMBRY: Same objection.

18 THE WITNESS: No, I did not.

19 No, I did not.

20 QUESTIONS BY MR. CARTER:

21 Q. You did not?

22 Do you know whether Martyrs of
23 Al Aqsa Orphans refers to activities in The
24 Kingdom or outside?

25 MS. BEMBRY: Objection to form.

1 THE WITNESS: No, I do not.

2 QUESTIONS BY MR. CARTER:

3 Q. And do you know -- did you see
4 any documents in your preparations concerning
5 any review of the purpose of this account?

6 MS. BEMBRY: Objection. Vague.

7 QUESTIONS BY MR. CARTER:

8 Q. By Al Rajhi Bank?

9 A. No, I did not.

10 And I didn't see anything in
11 the -- in the guide that was delivered to
12 help prepare for this that would have led me
13 to believe you wanted such a specific
14 response.

15 Q. Mr. Galloway, in preparing for
16 the deposition concerning Al Rajhi Bank's
17 relationships with Al Haramain Islamic
18 Foundation, did you take any steps to
19 determine whether or not Al Haramain's
20 accounts at Al Rajhi Bank were being used to
21 send money overseas?

22 Strike that.

23 Did you undertake any inquiry
24 to determine whether the Al Haramain accounts
25 at Al Rajhi Bank during 1998 through 2002

1 were being used to send funds outside of
2 Saudi Arabia?

3 MR. CURRAN: Objection as to
4 form. I think it's beyond the scope
5 of any of the designated areas of
6 inquiry.

7 You may answer.

8 THE WITNESS: Yeah, I did not
9 directly, no.

10 QUESTIONS BY MR. CARTER:

11 Q. Do you know one way or another
12 whether the accounts were used to send money
13 outside of The Kingdom?

14 MR. CURRAN: Same objections.

15 You may answer.

16 THE WITNESS: No, I have no
17 specific knowledge of that.

18 QUESTIONS BY MR. CARTER:

19 Q. And what about with regard to
20 the IIRO accounts? Did you come across any
21 information that would indicate whether those
22 accounts were being used to send money
23 outside of The Kingdom?

24 MR. CURRAN: Same objection.

25 You may answer.

1 THE WITNESS: No, I did not.

2 QUESTIONS BY MR. CARTER:

3 Q. And I take it that you don't
4 know one way or the other whether they were?

5 A. That's correct.

6 MR. CURRAN: Same objection.

7 THE WITNESS: I did not have
8 any inquiry about IIRO's transactions
9 specifically.

10 (Al Rajhi Bank 30(b)(6) Exhibit
11 ARB 7 marked for identification.)

12 QUESTIONS BY MR. CARTER:

13 Q. You had earlier mentioned a
14 1997 letter from the Ministry of Islamic
15 Affairs produced at ARB 38201. And that
16 letter is at Tab 27, and I'd like to mark it
17 as the next exhibit.

18 A. Could you please direct me to
19 the general area you're asking the questions
20 about now, please?

21 Q. Well, you brought it up earlier
22 in your testimony about the licensing
23 requirements for the charities. And from my
24 perspective, it would be relevant to the
25 inquiries concern -- I'm sorry, concerning

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1 both category number 1, relating to the
2 bank's relationship with these entities, as
3 well as various topics under category 2,
4 including 2(d).

5 A. Yeah.

6 Q. 2(d).

7 MR. CURRAN: Is this a one-page
8 document, Mr. Carter?

9 MR. CARTER: It is.

10 MR. CURRAN: Thank you.

11 THE WITNESS: Go ahead.

12 QUESTIONS BY MR. CARTER:

13 Q. Okay. And, Mr. Galloway, is
14 this the 1997 letter you referenced in your
15 testimony earlier?

16 A. The October 17 is the date?
17 16th of June, it says. 17 October, yeah,
18 thank you.

19 Q. Okay. And did you review this
20 document in preparation for your deposition
21 today?

22 A. I have read that document, yes.

23 Q. And is it your understanding
24 that this is a document that was sent from
25 The Kingdom's Ministry of Islamic Affairs and

1 at some point received by Al Rajhi Bank?

2 A. That is my understanding, yes.

3 Q. The document, as you noted, is
4 dated October 17, 1997, correct?

5 A. Yeah, that's correct.

6 Q. And --

7 A. The Gregorian equivalent of the
8 Hijri date, yeah.

9 Q. Yeah, I'm sorry, I should have
10 mentioned that.

11 And is this document addressed
12 to Al Rajhi Bank?

13 MR. CURRAN: Objection as to
14 form.

15 You may answer.

16 THE WITNESS: I don't see
17 any direct reference to Al Rajhi Bank
18 on the letter.

19 QUESTIONS BY MR. CARTER:

20 Q. On its face, it appears that
21 it's directed to His Excellency, director of
22 Riyadh Passports Administration.

23 Do you agree with that?

24 A. I agree that's what's written
25 there.

1 Q. And is the -- is His
2 Excellency, the director of Riyadh Passports
3 Administration, a position at Al Rajhi Bank
4 that you're aware of?

5 A. No, it's not, but I wouldn't
6 see this as evidence that they're licensed to
7 operate. The fact that it's an official
8 document says that they're operating under
9 the Ministry's supervision. But I don't
10 see -- I don't see the addressee is
11 necessarily critical.

12 Q. Okay. Well --

13 A. The facts --

14 Q. The document on its face
15 reflects that it was sent on October 17,
16 1997, from the Ministry to the director of
17 Riyadh Passports Administration, correct?

18 A. That appears to be so.

19 Q. And it doesn't include any cc
20 to Al Rajhi Bank, does it?

21 A. I can't see that on the sheet,
22 no.

23 Q. And is there any indication in
24 the document when it was actually received by
25 Al Rajhi Bank?

1 MR. CURRAN: Objection to form.

2 The witness may answer.

3 The witness is trying to look
4 at the document on his computer there.

5 THE WITNESS: There appears to
6 be a stamp on the Arabic translation
7 below, but I'm not able to see if
8 that's an Al Rajhi stamp or whether
9 it's received by Al Rajhi Bank.

10 QUESTIONS BY MR. CARTER:

11 Q. You don't know what that stamp
12 is because it's in Arabic, right?

13 A. That's correct.

14 Q. Yeah. And the translation we
15 have of the seal is Kingdom of Saudi Arabia,
16 Ministry of Islamic Affairs, Endowments,
17 Da`wah and Guidance, Deputy Minister's
18 Office.

19 And I know that you said you
20 reviewed this document in preparation for
21 your deposition.

22 Do you have information that's
23 different from that translation of the seal?

24 A. No, I don't, but I would agree
25 that the contents of this letter says that

1 they're licensed to operate, or their
2 operating under the supervision of the
3 relevant authority. That's what I --

4 Q. The document we have here does
5 not indicate when it was actually sent to Al
6 Rajhi Bank?

7 A. Yeah, I can't see anything on
8 the letter that says the date it sent.
9 That's correct.

10 Q. And do you know whether Al
11 Rajhi Bank had preexisting accounts opened in
12 favor of Al Haramain prior to this 1997 date?

13 MR. CURRAN: Objection. Beyond
14 the scope of this limited
15 jurisdictional discovery.

16 The witness may --

17 MR. CARTER: Chris, in response
18 to that, the scope issues and timeline
19 issues for jurisdictional discovery
20 had much to do with the burden
21 considerations relating to document
22 production, and we don't necessarily
23 view them as applicable to questioning
24 of a witness who's had the opportunity
25 to interview people.

1 But we can proceed on that
2 basis.

3 MR. CURRAN: We disagree with
4 that analysis. We think the time --
5 the designated time period is what it
6 is.

7 But the witness may answer.

8 THE WITNESS: I haven't done a
9 direct match between the dates and the
10 account opening dates, but this --
11 this letter was sought in order to
12 verify that the accounts were under
13 the supervision of the relevant
14 authority.

15 QUESTIONS BY MR. CARTER:

16 Q. What information do you have
17 that this letter was sought for that purpose?

18 A. Now I've had a glance at that,
19 I don't have any -- at this time I can't
20 answer that.

21 Q. Based on the content of this
22 document from Al Rajhi Bank's files, was it
23 Al Rajhi Bank's understanding that Al
24 Haramain Islamic Foundation was working under
25 the supervision of the Ministry of Islamic

1 Affairs?

2 A. At the time -- say the question
3 again, please?

4 Could you repeat -- could you
5 repeat the question, please?

6 Q. Was it Al Rajhi Bank's
7 understanding based on your preparations
8 during the period 1998 through 2002 that Al
9 Haramain Islamic Foundation was operating
10 under the supervision of the Ministry of
11 Islamic Affairs of Saudi Arabia?

12 A. Yes, it was.

13 Q. And on its face, that's what
14 this October 1997 letter says, correct?

15 MR. CURRAN: Objection to form.

16 Lack of foundation.

17 You may answer.

18 THE WITNESS: Yes, it says --
19 the words say the Al Haramain Islamic
20 Foundation's working under our
21 supervision.

22 QUESTIONS BY MR. CARTER:

23 Q. And the letter is signed by
24 Saleh bin Abdel Aziz bin Mohamed Al
25 ash-Sheikh, correct?

1 A. Yes, it is.

2 Q. And as part of your
3 preparations, did you determine who he was
4 during this period of time?

5 A. Yes, I did.

6 Q. Okay. And what is Al Rajhi
7 Bank's understanding of who Saleh bin Abdel
8 Aziz bin Mohamed Al ash-Sheikh was during
9 this period of time?

10 A. He was on the charity board, if
11 I'm not mistaken.

12 Q. Is it possible you're referring
13 to a different person?

14 A. Yes, it could be.

15 Would you mind if I have a
16 short break?

17 MR. CARTER: No. As a
18 matter -- let's -- yeah, let's do the
19 short break. I think there's
20 technically a question pending, but
21 that's fine. We can take a break and
22 restart.

23 VIDEOGRAPHER: Off record. The
24 time is 5:49.

25 (Off the record at 5:49 p.m.)

1 VIDEOPHOTOGRAPHER: Back on record.

2 The time is 6:03.

3 QUESTIONS BY MR. CARTER:

4 Q. Mr. Galloway, before we took
5 the short break, we were discussing Saleh bin
6 Abdel Aziz bin Mohamed Al ash-Sheikh.

7 Do you recall that?

8 A. Yes, I do.

9 Q. And I was about to say, I think
10 there might have been some confusion in
11 regards to one of your remarks.

12 Do you want to clarify
13 something about this individual?

14 A. Thank you. Yes, I would.

15 I understand the gentlemen
16 Saleh bin Abdel Aziz bin Mohamed Al
17 ash-Sheikh had a role as Deputy Minister of
18 Islamic Affairs and also had a secondary role
19 as the superintendent general of Al Haramain,
20 KSA.

21 Q. And I take it from that that he
22 was not involved in any Sharia committee at
23 Al Rajhi Bank that you're aware of?

24 A. That's also correct. That was
25 my error.

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1 Q. And just to pick up on what you
2 just said, the letter that we're discussing
3 right now identifies Saleh bin Abdel Aziz bin
4 Mohamed Al ash-Sheikh as both Deputy Minister
5 of Islamic Affairs and general supervisor of
6 Al Haramain, correct?

7 A. Yes, it does, and that was
8 something I inquired about, and including
9 asking the chairman.

10 And firstly, I would say it's
11 really not for the bank to decide how many or
12 which roles he has. But for people in senior
13 government departments, it's not unusual for
14 the -- in Saudi to also have charitable
15 associations. So this was not considered
16 anything unusual outside of context.

17 Q. But it was the bank's
18 understanding that he was serving in both
19 those capacities during this time period?

20 A. That letter indicates that.

21 Q. And did the bank's chairman
22 have any information on that issue?

23 A. No. I asked him, and he did --
24 I didn't ask about the specific letter, but I
25 asked him why would it be that he seems to

1 have dual roles, and he said it wasn't
2 considered unusual with other senior figures
3 in Saudi Arabia.

4 And I guess in a western
5 context, it's not unusual for senior
6 distinguished figures to also serve on
7 charitable organizations, in my experience.

8 Q. Do you happen to know from your
9 conversation with the chairman whether he had
10 any direct dealings with Saleh bin Abdel Aziz
11 bin Mohamed Al ash-Sheikh?

12 A. No --

13 MR. CURRAN: Objection. Vague.
14 You may answer.

15 THE WITNESS: No, I don't know
16 that directly. But he knew of him,
17 and he certainly is a respected figure
18 here in The Kingdom of Saudi Arabia.

19 QUESTIONS BY MR. CARTER:

20 Q. And we spent a bit of time
21 earlier discussing the letter from Abdullah
22 al Rajhi that was marked -- sorry.

23 Do you recall which exhibit
24 number that was? It's a prior exhibit.

25 GINA VELDMAN: It was the

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1 exhibit before this?

2 MR. CARTER: Yes.

3 GINA VELDMAN: That would be

4 Tab -- that would be Tab 39.

5 MR. CARTER: Yeah. Can we put
6 that back up?

7 GINA VELDMAN: Do you want both
8 or just one?

9 MR. CARTER: I'm sorry, that's
10 not the one.

11 GINA VELDMAN: Okay. Maybe
12 this one?

13 MR. CARTER: Yes. Which was
14 Tab 34 in Exhibit 4.

15 QUESTIONS BY MR. CARTER:

16 Q. Okay, yeah, Exhibit 4.

17 And this, as we discussed
18 previously, is a letter from the now
19 chairman, then director general, Abdullah al
20 Rajhi, to the same minister, Saleh bin Saleh
21 bin Abdel Aziz bin Mohamed Al ash-Sheikh,
22 correct?

23 A. It appears to be.

24 (Al Rajhi Bank 30(b)(6) Exhibit
25 ARB 8 marked for identification.)

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1 QUESTIONS BY MR. CARTER:

2 Q. Can we mark as the next exhibit
3 the document at Tab 30?

4 GINA VELDMAN: This is
5 Exhibit 8.

6 QUESTIONS BY MR. CARTER:

7 Q. Mr. Galloway, take a second to
8 review that document, and let me know if
9 you've read it in preparation for your
10 deposition today.

11 A. Yes, I'm aware of this.

12 Q. And this is a document produced
13 by Al Rajhi Bank dated September 26, 1998, in
14 the Gregorian calendar, from the Al Haramain
15 Islamic Foundation's general supervisor's
16 officer to Al Rajhi Bank, correct?

17 A. That appears to be true, yeah.

18 Q. And it's addressed to His
19 Excellency, director general of Al Rajhi
20 Banking & Investment Corp.

21 Do you know who held that
22 position in September of 1998?

23 A. No, I don't.

24 Q. Do you happen to know whether
25 that would have been Abdullah al Rajhi?

1 A. I don't know that with the
2 material I have with me.

3 Q. And in the letter, the minister
4 requests that the bank transfer nine accounts
5 into the name of Al Haramain Islamic
6 Foundation, correct?

7 A. Yes, that's what it says.

8 Q. And the minister also --

9 MR. CURRAN: I'm sorry, are you
10 on 2(e) now? Is that the inquiry?

11 MR. CARTER: It would be 2(d),
12 2(e), 2(c), all of those.

13 MR. CURRAN: Okay. Thank you.

14 QUESTIONS BY MR. CARTER:

15 Q. Mr. Galloway, am I correct that
16 this letter is a request from Saleh bin Abdel
17 Aziz bin Mohamed Al ash-Sheikh to Al Rajhi
18 Bank to transfer nine accounts into the name
19 of Al Haramain Islamic Foundation?

20 A. Yes, that's what it says.

21 Q. Okay. And in the letter, Saleh
22 bin Abdel Aziz bin Mohamed Al ash-Sheikh also
23 provides instructions concerning the
24 individual who should have signatory
25 authority for the combined account, correct?

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1 A. Yeah, they provided a list of
2 them.

3 Q. And in this letter, the --
4 well, in this letter it says that the
5 signatory should be limited to persons
6 identified by Al Haramain's director general,
7 Sheik Aqil bin Abdel Aziz al Aqil, correct?

8 A. The pictures for the video are
9 over some of the text that you're referring
10 to.

11 Q. Oh, sorry.

12 A. I've got a copy here. It's
13 okay. Okay.

14 To persons authorized by --
15 yes, I agree with that.

16 Q. And during this time period,
17 was it Al Rajhi Bank's understanding that
18 Deputy Minister of Islamic Affairs, Saleh bin
19 Abdel Aziz bin Mohamed Al ash-Sheikh, had
20 authority to make a request of this nature
21 concerning the Al Haramain accounts?

22 A. Well, he couldn't have acted on
23 this naturally. If he was writing it, any
24 consolidation would have been subject to
25 controls.

1 Q. Yeah, I'm not asking whether or
2 not he had authority to direct whether Al
3 Rajhi Bank complied with the request, but was
4 it Al Rajhi Bank's understanding that Deputy
5 Minister Al ash-Sheikh had authority to make
6 requests on behalf of Al Haramain concerning
7 its accounts?

8 A. Yes, I believe so.

9 (Al Rajhi Bank 30(b)(6) Exhibit
10 ARB 9 marked for identification.)

11 QUESTIONS BY MR. CARTER:

12 Q. And if we can mark as the next
13 exhibit the document at Tab 32.

14 Mr. Galloway, have you seen
15 this document in preparation for your
16 deposition today?

17 A. That specific document I don't
18 recall.

19 Q. Okay. It was produced by Al
20 Rajhi Bank at 38573. And, again, on its face
21 it appears to be a letter from the Deputy
22 Minister's Office at the Ministry of Islamic
23 Affairs to the director general of Al Rajhi
24 Banking & Investment Corp.

25 Do you agree with that?

1 A. Yes, it appears to be the case.

2 Q. Okay. And it's dated

3 January 29, 1997, right?

4 A. That's the Gregorian date.

5 Q. Yeah.

6 And the letter indicates that
7 it is fine to keep Al Haramain Islamic
8 Foundation's account number, redacted, 55 at
9 your branch number, also redacted.

10 Do you see that?

11 A. I see that.

12 Q. Okay. And again, based on your
13 preparations, is it your understanding that
14 Al Rajhi Bank understood that the deputy
15 minister, Saleh bin Abdel Aziz bin Mohamed Al
16 ash-Sheikh, had authority to make this type
17 of request for Al Haramain during this time
18 period?

19 A. Yes, it is my belief that he
20 was authorized. Although I would note that
21 that falls outside the relevant period.

22 MR. CURRAN: You're doing my
23 job.

24 QUESTIONS BY MR. CARTER:

25 Q. Correct.

1 But would inform -- would
2 inform the bank's understanding during the
3 relevant period of his authority, correct?

4 MR. CURRAN: Same objection.

5 You may answer.

6 THE WITNESS: That's possible.

7 (Al Rajhi Bank 30(b)(6) Exhibit
8 ARB 10 marked for identification.)

9 QUESTIONS BY MR. CARTER:

10 Q. Can we mark as the next exhibit
11 the documents at Tab 14?

12 Mr. Galloway, have you had a
13 chance to look at these documents?

14 MR. CURRAN: Is there more than
15 one?

16 MR. CARTER: Yeah. Chris,
17 this includes an additional
18 attachment.

19 MR. CURRAN: Okay. Gotcha.

20 MR. CARTER: It was produced by
21 the bank twice, the cover page, I
22 think, and we're going to go over that
23 very quickly.

24 THE WITNESS: Yeah, I'm
25 familiar with the request.

1 QUESTIONS BY MR. CARTER:

2 Q. And the first page of this
3 exhibit appears to be identical to the letter
4 we marked as Exhibit Number 8 that was
5 separately produced at ARB 38200.

6 Do you agree?

7 A. Can you say that again? I
8 missed what you said.

9 Q. Okay. The first page of this
10 exhibit that we've just marked --

11 A. Yeah.

12 Q. -- appears to be --

13 A. Sorry.

14 Q. Yeah, it's identical to the
15 document we previously reviewed that was
16 marked as Exhibit 8, right?

17 MR. CURRAN: It was Exhibit 8
18 or 9. You saw that.

19 THE WITNESS: Yeah, that's
20 correct.

21 QUESTIONS BY MR. CARTER:

22 Q. Okay. And this version
23 includes a second page that appears to
24 identify the nine accounts that are subject
25 of Deputy Minister Al ash-Sheikh's requests,

1 correct?

2 A. Yeah, that's right.

3 Q. And it also identifies the
4 individuals who will have signatory authority
5 for the accounts?

6 A. Yeah. The four on the bottom
7 is what you're referring to there.

8 Q. Yeah.

9 And do you know under what name
10 those accounts were established and held as
11 of the date of this letter?

12 A. Prior to being shifted to Al
13 Haramain, is that what you're saying?

14 Q. Yes.

15 A. I do not know that directly,
16 no.

17 I believe they were under
18 individual accounts and then consolidated to
19 Al Haramain, but I don't know the specific
20 names of the individual accounts.

21 Q. So your belief is that --

22 A. Sorry. Go ahead.

23 Q. Your understanding is that the
24 accounts had been opened under the names of
25 individual natural persons?

1 MR. CURRAN: Objection. Vague.

2 You may answer.

3 THE WITNESS: These were
4 existing accounts that they were
5 asking to have consolidated into -- or
6 shifted into the name of the charity.

7 QUESTIONS BY MR. CARTER:

8 Q. And do you know whose names
9 those nine accounts were under at the time --

10 A. No.

11 Q. -- the request was made to
12 shift them?

13 A. I believe the list was supplied
14 with the nine names, which is the -- I
15 believe there was a list that included the
16 names, was my understanding.

17 Q. That -- the nine names would be
18 information that Al Rajhi Bank would have
19 available to it?

20 A. I would need to check that.

21 Q. But the core banking system
22 should be able to go back to September 26,
23 1998, and look at these accounts and see
24 whose names they were under?

25 A. Yeah, that's possible.

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1 (Al Rajhi Bank 30(b)(6) Exhibit
2 ARB 11 marked for identification.)

3 QUESTIONS BY MR. CARTER:

4 Q. And if we can mark next the
5 document at Tab 15.

6 A. Just a moment, please. We're
7 just getting it on the screen.

8 I've read that.

9 Q. Okay. And this communication
10 also concerns the request to change the
11 accounts, the nine accounts, into the name of
12 Al Haramain, correct?

13 A. Yes.

14 Q. And this is an internal Al
15 Rajhi Bank document?

16 A. That's right. And it was
17 triggered in order to make sure the process
18 was robust and people were clear what had to
19 be done.

20 Q. Right.

21 And the author of this is
22 identified as Azzam al Abdullah Aba al Khail,
23 the deputy director general for the banking
24 group.

25 Do you see his name?

1 A. Yes, I do.

2 Q. Do you know him?

3 A. Not personally, no, I don't
4 know him.

5 Q. Is he still at the bank?

6 A. I have not checked that.

7 Q. Are you familiar with his name?

8 A. Not familiar with his name as a
9 result of working the bank; only as a result
10 of reading it on the page here.

11 Q. Do you know what his role was
12 as deputy director general for the banking
13 group?

14 A. I don't know specifically, but
15 it was a senior role, based on the title.

16 Q. And do you know whether or not
17 in that senior role he reported to Abdullah
18 al Rajhi?

19 A. I do not know that.

20 Q. And do you agree that Azzam al
21 Abdullah Aba al Khail indicates that the
22 request made by the deputy minister to
23 transfer the accounts should be carried out?

24 A. Well, it was with additional
25 controls. There were -- this is a process

1 that was followed to allow the individual
2 names to be moved into the Al Haramain
3 account names, but there were additional
4 specific controls outlined by the bank to
5 ensure that that was done. And there was a
6 high-level signoff which included the
7 signature of the gentleman on this letter.

8 So this was a process we had,
9 but to do such a change was a process that
10 had additional controls and measures around
11 it for protection of the customer as well as
12 the protection of the bank.

13 Q. Okay. And what were those
14 controls trying to protect?

15 A. They were trying to make sure,
16 firstly, that the accounts obviously were
17 opened in the name of the charity, but
18 that -- when you're moving, normally you
19 would close an account and open an new
20 account. This was taking the account number
21 and changing the name on it.

22 So for that, they needed to
23 ensure that the -- the identification of the
24 new party was now on, that any old checkbooks
25 and things for the old accounts were

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1 recovered and that the account balance was
2 agreed.

3 And then because it was a
4 charity account, there were additional checks
5 and controls which we've discussed earlier,
6 and then there was a higher-level signing
7 authority.

8 There was a very clear process
9 laid out to make sure that this was done well
10 and done properly.

11 Q. Okay. Where in this letter
12 does it refer to an additional level of
13 controls to be reviewed relating to charity
14 accounts?

15 A. Yeah, there was --

16 MR. CURRAN: Object as to form.
17 Lack of foundation.

18 You may answer.

19 THE WITNESS: Yeah, the --
20 there was a -- let me -- just a
21 moment. I'll just go to my notes,
22 please.

23 Yeah, there was an internal
24 document created -- I don't have a
25 reference for it here, but which I've

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1 cited, that made clear the processes
2 to be followed. And that was to be
3 read in conjunction with the branch
4 manual that I've spoken to you about
5 before, the manual 1997 edition. And
6 these processes were followed.

7 And the head of internal audit
8 and the branch manual where the
9 process is today were the sources that
10 I referenced for that.

11 QUESTIONS BY MR. CARTER:

12 Q. Based on your understanding of
13 the branch manual and the procedures
14 reflected therein, would it have been
15 appropriate for Al Haramain to have accounts
16 opened that were not in its name during this
17 time period?

18 MR. CURRAN: Objection as to
19 form.

20 You may answer.

21 THE WITNESS: If accounts were
22 opened in a personal name, they would
23 have been subject to personal
24 onboarding.

25 Accounts opened in a charity

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1 name, I think it was a -- for -- this
2 is -- what's the date of this?

3 QUESTIONS BY MR. CARTER:

4 Q. 1998.

5 A. Yeah, I -- the -- there was
6 accounts opened, clearly. Would those
7 accounts have conducted charitable
8 activities? There was nothing potentially
9 preventing that, I don't believe.

10 Q. Let me ask the question this
11 way.

12 Were the procedures for
13 onboarding a personal account different from
14 those applicable to a charity account in this
15 time period?

16 MR. CURRAN: Objection. Vague.

17 You may answer.

18 THE WITNESS: As of the 1997
19 document, that is -- the branch manual
20 document, that's true.

21 QUESTIONS BY MR. CARTER:

22 Q. And during this time period,
23 1998, would it have been appropriate for Al
24 Haramain to have had individual officials
25 open accounts in their names for purposes of

1 Al Haramain's operations?

2 MR. CURRAN: Objection. Vague.

3 You may answer.

4 THE WITNESS: By "appropriate,"

5 I'm not sure what you mean by that.

6 QUESTIONS BY MR. CARTER:

7 Q. Well, you have some familiarity
8 with know your customer procedures, correct?

9 A. Yes, I do.

10 Q. And are those designed to make
11 sure that the bank knows who the real owner
12 of a bank account is?

13 A. That's correct, but these
14 were -- these were accounts opened by
15 individuals, and they would have been the
16 real owner of the account.

17 Q. Okay. Would they be a real
18 owner of the account if the account was being
19 used for purposes of Al Haramain's
20 activities?

21 MR. CURRAN: Objection as to
22 form.

23 You may answer.

24 THE WITNESS: We would have
25 verified the identity of the person

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1 opening the account when it was done.

2 QUESTIONS BY MR. CARTER:

3 Q. Would you have required that
4 person to show that he and his account were
5 licensed to carry out charitable activities?

6 MR. CURRAN: Again, objection
7 as to the form of the question. These
8 are framed as hypotheticals.

9 You may answer.

10 THE WITNESS: Yeah, I can't
11 answer a hypothetical because the
12 purpose of the account was not -- I
13 don't have any knowledge of any
14 conversation around the purpose of the
15 account at the time it was opened.

16 (Al Rajhi Bank 30(b)(6) Exhibit
17 ARB 12 marked for identification.)

18 QUESTIONS BY MR. CARTER:

19 Q. Let's mark as the next exhibit
20 the document at Tab 16.

21 Mr. Galloway, have you had a
22 chance to review this document?

23 A. Yeah. I'm almost finished.
24 Thank you.

25 Yes, I've read the document.

1 Q. Okay. And this is an internal
2 Al Rajhi Bank document dated to 1999,
3 correct?

4 A. On the Gregorian date, that's
5 correct.

6 Q. Yeah.

7 And this is another request to
8 transfer an Al Rajhi Bank account from the
9 name of an individual account holder into the
10 name of Al Haramain Islamic Foundation,
11 correct?

12 MR. CURRAN: Objection. Vague.

13 You may answer.

14 THE WITNESS: Well, any
15 transfer from an individual name to
16 a charity -- so you said is this? Did
17 you? Can I clarify?

18 You were asking me to
19 clarify --

20 QUESTIONS BY MR. CARTER:

21 Q. What is the subject matter of
22 this document? What is being requested?

23 A. To change the account name.

24 Q. And the account at issue at the
25 time of this letter was held in the name of

1 an individual named Zayd Attia al Harithi,
2 correct?

3 A. That's --

4 Q. Harithi something Saad,
5 correct?

6 A. That is correct.

7 Q. Okay. And the request is to
8 change that account from the name of that
9 individual into an account in the name of Al
10 Haramain, correct?

11 A. Yes.

12 And doing so would only have
13 increased the level of scrutiny on the
14 account.

15 Q. Why?

16 A. Because it would have been
17 subject to additional new information because
18 they were changing the account from the
19 individual to the charity.

20 Q. And what concerns does that
21 raise?

22 MR. CURRAN: Objection. Vague.

23 Lack of foundation.

24 You may answer.

25 THE WITNESS: It -- I would

1 interpret this as they were trying to
2 tidy up and put the accounts under the
3 charity in order to make sure that the
4 purpose and the controls -- purpose is
5 clear and the controls were in place.
6 It feels like a positive move.

7 QUESTIONS BY MR. CARTER:

8 Q. And do you know who initiated
9 it?

10 A. I don't know that specifically,
11 no.

12 Q. And based on this -- the
13 document indicates in the third bullet point
14 down that the account belongs to Al Haramain
15 Islamic Foundation in fact.

16 Do you see that?

17 A. I see what's written.

18 Q. Okay. And based on that, does
19 that mean that the bank {sic} held in the
20 name of the individual actually belonged to
21 the Al Haramain Islamic Foundation?

22 A. I can't be sure of that.

23 Q. And to the extent that Al Rajhi
24 Bank found out that Al Haramain was operating
25 an account in the name of an individual

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1 person during this time period for Al
2 Haramain's purposes, would that have
3 triggered any additional know your customer
4 requirements on the manual you have
5 referenced?

6 MR. CURRAN: Objection to form.
7 Hypothetical.

8 You may answer.

9 THE WITNESS: At the point in
10 which the account was moved from an
11 individual to a charity, it would have
12 then been subject to additional
13 scrutiny.

14 QUESTIONS BY MR. CARTER:

15 Q. Again, under the bank's
16 procedures, would it have been appropriate
17 during this time period for Al Haramain to
18 have opened an account for its operational
19 purposes in the name of an individual person?

20 A. Well, I think what it's showing
21 is that there was an awareness to try and
22 tidy things up and to make sure that there
23 were more scrutiny and that it was in the
24 name of the charity. And I didn't read it as
25 being anything more than that.

1 Q. That's not what I asked.

2 I asked, would it have been
3 appropriate during this time period, under
4 the bank's own protocols, for Al Haramain to
5 have opened an account for its operational
6 purposes in the name of an individual person?

7 MR. CURRAN: Objection to the
8 form of the question. Hypothetical.
9 You may answer.

10 THE WITNESS: I'd be
11 speculating. I didn't understand
12 the -- the issue that is more that
13 they were seeking to put additional
14 controls on the accounts, and that
15 seems to be directionally a good thing
16 to do.

17 QUESTIONS BY MR. CARTER:

18 Q. Sure.

19 But if Al Haramain wanted to
20 open an account at Al Rajhi Bank in the 1998
21 through 2000 time period, Al Rajhi Bank had
22 protocols in place that would apply to such a
23 request, right?

24 A. That's correct. But you're
25 speculating as to whether the intent at the

1 time the account was opened was for
2 charitable purposes or not, and I can't
3 answer that.

4 Q. Well, the document says that
5 the account belongs to Al Haramain Islamic
6 Foundation in fact.

7 MR. CURRAN: Objection to the
8 form of the question.

9 You may answer.

10 THE WITNESS: That doesn't
11 relate to the time period in which the
12 account was opened.

13 QUESTIONS BY MR. CARTER:

14 Q. Well, do you happen to know
15 whether this document requesting the transfer
16 of an account from the name of an individual
17 into Al Haramain's name prompted any inquiry
18 as to whether it was improperly opened?

19 A. Yeah, the bank did -- the bank
20 searched and didn't find any review by the
21 bank relating to instructions received by --
22 just one second.

23 You're on 2F, correct?

24 Q. Among others.

25 A. The processes as laid out were

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1 followed. That therefore didn't prompt any
2 inquiry or follow-up or additional action.

3 There were processes outlined
4 to make the transition from the individual
5 name to the charity name. Those processes
6 were followed in full, and therefore there
7 was no need for inquiry, follow-up or
8 inspection.

9 Q. So from the bank's perspective,
10 there was nothing problematic about the
11 situation described in this letter?

12 A. Well, moving it into a charity
13 and tidying it up and putting the controls
14 associated with it seems to me like good
15 housekeeping and a sensible thing to do, and
16 would only add to the level of protection and
17 scrutiny around the account, would it not?

18 Q. Well, doesn't it prompt also a
19 need to look backwards to determine whether
20 or not there was a problem with the opening
21 of the account?

22 MR. CURRAN: Objection as to
23 form.

24 You may answer.

25 THE WITNESS: I don't have

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1 knowledge of whether that -- whether
2 that would have -- would have
3 triggered anything.

4 QUESTIONS BY MR. CARTER:

5 Q. And do you happen to know
6 whether discovery of information that an
7 organization, and in particular a charity,
8 was operating accounts for its own purposes
9 in the name of individuals would have been a
10 know your customer concern for Al Rajhi Bank
11 at this time?

12 MR. CURRAN: Objection to form.

13 Lack of foundation. Hypothetical.

14 You may answer.

15 THE WITNESS: I don't have
16 specific knowledge of that in relation
17 to this issue.

18 (Al Rajhi Bank 30(b)(6) Exhibit
19 ARB 13 marked for identification.)

20 QUESTIONS BY MR. CARTER:

21 Q. Can we mark as the next exhibit
22 the document at Tab 18?

23 A. I read that, Mr. Carter.

24 Q. And this is another internal
25 document dated November 13, 1999, in the

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1 Gregorian calendar concerning transferring
2 another account from the name of individuals
3 to Al Haramain, correct?

4 A. Yeah, that's cor -- seems to be
5 correct.

6 Q. And the account, as it existed
7 as of the time of this letter, was held in
8 the name of three individuals: Mohamed
9 Marzouk al Harithi, Faisal Fayez al Ahmadi,
10 and Hussain Abdullah al Yami, correct?

11 A. Yeah, that appears to be
12 correct.

13 Q. And they're asking -- or they
14 made a request to change it into the name of
15 Al Haramain, correct?

16 A. Yeah, that seems to be correct
17 also.

18 Q. And they're also asking that
19 they be permitted to retain the same account
20 number, correct?

21 A. Yes, that is correct.

22 Q. And the reason they're asking
23 to retain the same account number is because
24 donors who make deposits to it directly
25 throughout the Saudi Kingdom already know the

1 number, right?

2 A. That's what it says on the
3 letter.

4 Q. Okay. And so based on that, Al
5 Rajhi Bank had information that the account
6 in the name of these individuals was being
7 used to receive donations, correct?

8 A. Well, Al Rajhi Bank also has a
9 request to make sure that it's formalized as
10 a charitable account.

11 Q. Mr. Galloway, can you answer
12 the question I asked?

13 MR. CURRAN: Objection as to
14 form.

15 MR. CARTER: Can you read it
16 back so Mr. Galloway can answer the
17 question that was presented?

18 (Court Reporter read back
19 question.)

20 THE WITNESS: Well, the letter
21 says that.

22 QUESTIONS BY MR. CARTER:

23 Q. And the letter is drafted by Al
24 Rajhi Bank, right?

25 MR. CURRAN: Objection as to

1 form.

2 You may answer.

3 THE WITNESS: The letter says
4 donors who used to make deposits
5 directly through The Kingdom -- the
6 Saudi Kingdom, and it's -- and it's Al
7 Rajhi Bank correspondence, right?

8 That's correct.

9 QUESTIONS BY MR. CARTER:

10 Q. And it -- according to the
11 document, it was written by Hamad Mohamed al
12 Harbi, the director of the Al Arbaeen Street
13 branch, right?

14 A. That's what it says.

15 Q. And he's seeking an opinion
16 from the legal department about this request,
17 correct?

18 A. I think he's seeking to try to
19 put them into good order and make them
20 charity accounts.

21 Q. Well, that would suggest that
22 he initiated this request.

23 Do you know whether he
24 initiated this request or Al Haramain did?

25 A. I have no knowledge of that.

1 Q. Okay.

2 A. But whether it was Al Haramain
3 or the bank, I would suggest that either
4 party is trying to put this into good order
5 and make sure that they're properly
6 registered as charity accounts, and they're
7 subject to control scrutiny and licensing
8 that comes with that.

9 Q. And that's because prior of
10 this point in time, they weren't in good
11 order, and they weren't registered as charity
12 accounts, correct?

13 MR. CURRAN: Objection to form.
14 Argumentative.

15 THE WITNESS: I can't comment
16 whether they're in good order or not.
17 I can only say that it's better that
18 their accounts are put under the
19 charity name if they're going to be
20 used for a primary charitable purpose.

21 But I don't know the provenance
22 of these accounts when they were
23 opened and whether they were
24 originally opened as individual
25 accounts or not. I haven't got

1 information in front of me that
2 answers that.

3 QUESTIONS BY MR. CARTER:

4 Q. Well, you do know that they
5 were being held in the name of individuals
6 and not in the name of Al Haramain, correct?

7 MR. CURRAN: Objection. Vague.
8 You may answer.

9 THE WITNESS: That's correct,
10 based on what you're showing me here.

11 MR. CURRAN: "They" being the
12 single account you're referring to,
13 Mr. Carter?

14 MR. CARTER: It's the account
15 referenced in this document.

16 MR. CURRAN: Yeah, okay.
17 That's singular.

18 MR. CARTER: Joint account
19 number blank/7000.

20 MR. CURRAN: Correct. You say
21 "they," meaning multiple accounts.
22 It's a singular account --

23 MR. CARTER: No, it's a joint
24 account in the name of three people.

25 MR. CURRAN: Yeah, okay, a

1 single account.

2 MR. CARTER: Can you read back
3 the question, Carrie?

4 (Court Reporter read back
5 question.)

6 MR. CARTER: Okay. Let me
7 amend that.

8 QUESTIONS BY MR. CARTER:

9 Q. The bank did know that this
10 joint account was held in the name of three
11 individuals and not in the name of Al
12 Haramain, correct?

13 A. That's what the letter says.

14 Q. And, again, should an account
15 used for purposes of Al Haramain's activities
16 have been opened in the name of individual
17 people?

18 MR. CURRAN: Objection. Vague.
19 Lack of foundation.

20 You may answer.

21 THE WITNESS: I don't know what
22 was -- what was the use of the account
23 at the time it was opened.

24 All I can tell you is at this
25 point in time, there's a request to

1 move it into the name of the charity.
2 I can't tell you the provenance of the
3 account at the time of opening.

4 QUESTIONS BY MR. CARTER:

5 Q. And you haven't seen any
6 documents making inquiry into the provenance
7 of the account in response to this request,
8 have you?

9 A. I have not, no.

10 Q. Do you know whether this
11 request or any of the other requests --

12 COURT REPORTER: You're muted,
13 Sean. We can't hear you. I don't
14 know.

15 MR. CURRAN: Actually, I can.

16 MR. CARTER: Can you hear me
17 now?

18 MR. CURRAN: Yes. Well, the
19 witness -- we can hear you.

20 MR. JANJUA: We can hear you
21 too.

22 MR. CARTER: Okay. Who can't
23 hear me?

24 MR. CURRAN: That's a trick
25 question. I think Carrie can't.

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1 COURT REPORTER: Can we go off?

2 For some reason I can't hear everyone?

3 MR. CARTER: Yeah.

4 VIDEOGRAPHER: Off the record.

5 Our time is 6:48.

6 (Off the record at 6:48 p.m.)

7 VIDEOGRAPHER: Back on the

8 record. The time is 6:50.

9 QUESTIONS BY MR. CARTER:

10 Q. Mr. Galloway, turning your
11 attention back to this exhibit, just see if
12 we can agree about a few things.

13 As of the date of this letter
14 in November of 1999, there was a joint
15 account in the name of three individuals:
16 Mohamed Marzouk al Harithi, Faisal Fayez al
17 Ahmadi, and Hussain Abdullah al Yami,
18 correct?

19 A. That's what the letter says.

20 Q. Okay. And the letter indicates
21 that the account was used to receive
22 donations throughout the Saudi Kingdom,
23 correct?

24 A. The letter indicates that they
25 would like to move it into an account name

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1 for the charity. And it does say that
2 they're deposited directly throughout The
3 Kingdom, that is correct.

4 Q. Yeah. And so as of the date of
5 this letter, what it's saying is that the
6 account in the name of these three
7 individuals had, up to that point, been used
8 to receive donations throughout The Kingdom,
9 correct?

10 MR. CURRAN: Object --
11 objection, vague, as to "these three
12 individuals."

13 You may answer.

14 THE WITNESS: I have no idea at
15 what point or when or if the deposits
16 were made for charity, and I have no
17 idea about the representations made at
18 the time the account was opened.

19 QUESTIONS BY MR. CARTER:

20 Q. Well, what does Al Rajhi Bank
21 know? Because someone at Al Rajhi Bank wrote
22 this document and had information.

23 MR. CURRAN: Objection as to
24 form. Lack of foundation as to when
25 the documents were opened -- when the

1 accounts were opened, and likely
2 outside the time frame.

3 You may answer.

4 THE WITNESS: Yeah, I don't
5 have anything to add. I think I've
6 said this two or three times now.

7 QUESTIONS BY MR. CARTER:

8 Q. Okay. And with regard to this
9 request, do you agree that the Al Rajhi Bank
10 employee who authored the document, Hamad
11 Mohamed al Harbi, makes a point of noting to
12 the legal department that these clients are
13 recognized for their charity work and
14 commitment and that Al Haramain Islamic
15 Foundation is a distinguished client to the
16 company's branch number 161 in Riyadh?

17 A. That's what the letter says.

18 MR. CURRAN: Objection to the
19 form.

20 You may answer.

21 THE WITNESS: Sorry, that's
22 what the letter appears to say.

23 (Al Rajhi Bank 30(b)(6) Exhibit
24 ARB 14 marked for identification.)
25

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1 QUESTIONS BY MR. CARTER:

2 Q. And if we can mark as the next
3 exhibit the document at Tab 19.

4 A. One moment, please. We're just
5 finding it.

6 Thank you. I have it now.

7 I'll just read it.

8 Thank you. I've read it.

9 Q. And am I correct that this is
10 the legal department's response to Hamad
11 Mohamed al Harbi's request that we just
12 discussed?

13 A. It appears to come from the
14 regional administration. Western region,
15 legal affairs section, is what it says.

16 Q. And it also concerns the
17 request to transfer the joint account in the
18 name of these three individuals to Al
19 Haramain, correct?

20 MR. CURRAN: Objection. Vague.

21 You may answer.

22 THE WITNESS: The subject
23 header has the names of those
24 individuals in there, and they -- and
25 some subject matter about transferring

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1 to the name of the Al Haramain Islamic
2 Foundation. So I can agree with that.

3 QUESTIONS BY MR. CARTER:

4 Q. Okay. And the prior exhibit
5 that we discussed was a letter from Hamad
6 Mohamed al Harbi to the head of legal
7 affairs, seeking an opinion concerning the
8 request to transfer the joint account in the
9 name of al Harithi, al Ahmadi and al Yami to
10 Al Haramain Islamic Foundation's name,
11 correct?

12 A. Yeah, that's correct.

13 Q. And this next document is a
14 letter from the head of the legal affairs
15 section to the director of the Al Arbaeen
16 Street branch, who during this time was Hamad
17 al Harbi, concerning that same subject,
18 right?

19 A. Yeah, that appears to be true.

20 Q. Okay. And does this appear to
21 be the legal section's response to al Harbi's
22 letter?

23 A. Yes, it does.

24 Q. And in this letter from the
25 head of legal affairs section, Sulaiman bin

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1 Mohamed al Rishan, he describes the normal
2 procedure for changing the account name from
3 a personal account to a legal entities
4 account, correct?

5 A. Yes.

6 Q. Okay. And the normal procedure
7 is that the individual account should be
8 closed and a new account should be opened in
9 the name of the entity, correct?

10 A. Yes, that's what it says.

11 Q. And in the second paragraph, he
12 then says that if the clients insist on their
13 request to transfer the existing account into
14 the name of Al Haramain, and if refusing
15 their request may disturb the relationship
16 between the company and Al Haramain Islamic
17 Foundation, you may report to the authorized
18 person, the honorable deputy director general
19 of the banking group, to obtain the approval
20 for this change.

21 Correct?

22 A. Yeah, I think what this is
23 saying is that there was a process to retain
24 the account number and change the names, but
25 it required a higher level signoff. That's

1 what it's saying.

2 Q. And then the head of the legal
3 affairs section identifies three requirements
4 in the event that the approval is granted,
5 correct?

6 A. Yeah. And these were
7 requirements to protect the customer and
8 protect the bank.

9 Q. Okay. And does the head of the
10 legal affairs section raise anywhere in this
11 letter the need to conduct due diligence
12 concerning the circumstances surrounding the
13 original opening of these accounts and
14 whether those were appropriate?

15 MR. CURRAN: Objection as to
16 form. Lack of foundation.

17 You may answer.

18 THE WITNESS: I can't see
19 anything in the letter that indicates
20 that directly.

21 (Al Rajhi Bank 30(b)(6) Exhibit
22 ARB 15 marked for identification.)

23 QUESTIONS BY MR. CARTER:

24 Q. And if we can mark as the next
25 exhibit the document at Tab 20.

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1 A. Apologies. It's just loading.

2 Just a moment.

3 Q. Okay.

4 A. I have it on the screen. I'll
5 just read it if you'll wait a moment, please.

6 Thank you. I've had a chance
7 to read the letter.

8 Q. The -- sorry. You agree with
9 me that this is a further letter from Hamad
10 Mohamed al Harbi, the director of the Al
11 Arbaeen Street branch, this time to the
12 director general of the banking group
13 concerning the same request to transfer the
14 account from the names of al Ahmadi, al
15 Harithi and al Yami to the Al Haramain
16 Islamic Foundation?

17 A. Well, despite the redaction,
18 the 7000 number matches, so I think that is
19 true.

20 Q. Yeah.

21 And in the letter, Hamad
22 Mohamed al Harbi again notes that Al Haramain
23 is a distinguished client to the company at
24 our Al Olaya branch, correct?

25 A. That is what it says.

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1 (Al Rajhi Bank 30(b)(6) Exhibit
2 ARB 16 marked for identification.)

3 QUESTIONS BY MR. CARTER:

4 Q. And can we next mark the
5 document at Tab 21?

6 A. Apologies. We'll just load
7 this.

8 Okay. I have it on the screen.
9 If you give me a moment, I'll read it.

10 Q. Sure.

11 A. Yeah, I've read it. Thank you
12 very much.

13 Q. Okay. And am I correct that
14 this appears to be a letter from Al Haramain
15 Islamic Foundation indicating that the
16 request to transfer the joint account in the
17 name of al Harithi, al Yami, al Ahmadi, was
18 ultimately approved?

19 A. Yeah, the redaction doesn't
20 make that absolutely certain, does it?

21 Yeah. From the redaction, I
22 can't be positive. The 7000 number is not
23 there.

24 Q. So the redaction is interfering
25 with your ability to understand the document?

1 A. No, I understand the flow of
2 what you're suggesting, but I can't verify
3 any particulars from the earlier document on
4 the account number, is what I'm trying to
5 tell you.

6 Q. Right. Because it's redacted.

7 A. Correct.

8 (Al Rajhi Bank 30(b)(6) Exhibit
9 ARB 17 marked for identification.)

10 QUESTIONS BY MR. CARTER:

11 Q. And if we can mark next the
12 document at Tab 66?

13 A. Thank you. I'm sorry about the
14 delay, but I have it now.

15 Q. It's okay.

16 A. Yeah, please go ahead.

17 Q. And am I correct that this is
18 another request from Al Haramain, this time
19 in August of 2001, to transfer an account
20 from the name of an individual into Al
21 Haramain's name?

22 A. That's what it appears to be
23 asking for.

24 Q. And it includes a handwritten
25 notation. And based on the translation, I

1 understand that the handwritten notation was
2 included by the director of the Al Olaya
3 Street general branch, Abdullah bin Mohamad
4 Aba al Khail, correct?

5 A. From what you're showing me,
6 that also appears to be correct, yes.

7 Q. Okay. And he's seeking
8 direction from the director of company's
9 branches in the central region?

10 MR. CURRAN: Objection as to
11 form. Lack of foundation.

12 You may answer.

13 THE WITNESS: That appears to
14 be so.

15 QUESTIONS BY MR. CARTER:

16 Q. Do you know who that was in
17 2001, the director of company's branches in
18 the central region?

19 A. No. Given the scope of what I
20 prepared for, that was not part of my
21 inquiry, so it's a level of detail that I
22 didn't uncover, that I didn't ask for.

23 Q. And do you know who Abdullah
24 bin Aba al Khail is?

25 MR. CURRAN: Objection to form.

1 You may answer.

2 THE WITNESS: Are you asking if

3 I know him personally or --

4 QUESTIONS BY MR. CARTER:

5 Q. Do you know who he is?

6 A. I can only --

7 Q. Is the name familiar to you?

8 A. I can only go on the title on
9 the letter here.

10 Q. Yeah, I'm wondering whether or
11 not he's someone who still works at the bank.

12 Do you know?

13 A. I have no knowledge of that. I
14 haven't met him.

15 Q. Okay. And his notation
16 indicates that the bank's client, Sheikh Agil
17 bin Abdel Aziz al Agil, wants to transfer an
18 account from his name into the name of Al
19 Haramain, correct?

20 A. That appears to be correct
21 based on the letter. Then I would assume in
22 order to do the same administrative tidying
23 up as everybody else is trying to do here,
24 which is to put them into charity accounts.

25 Q. The administrative tidying up,

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1 as you referred to it, based on these
2 documents, would appear to be ongoing for
3 several years, correct?

4 MR. CURRAN: Objection as to
5 form. Lack of foundation.

6 You may answer.

7 THE WITNESS: Yeah, based on
8 the dates of this correspondence,
9 that's true.

10 QUESTIONS BY MR. CARTER:

11 Q. The correspondence that we've
12 reviewed relating to the transfer of accounts
13 from the names of individuals to the names of
14 Al Haramain span at least September 1998
15 through this correspondence in August
16 of 2001, correct?

17 A. Yes.

18 Q. And they encompass multiple
19 requests to transfer accounts from the name
20 of individuals into Al Haramain, correct?

21 A. That appears to be correct.

22 Q. And again, do you know whether
23 these requests prompted any know your
24 customer concerns within Al Rajhi Bank?

25 MR. CURRAN: Objection as to

1 form. Lack of foundation.

2 You may answer.

3 THE WITNESS: I'm not aware if
4 they did.

5 QUESTIONS BY MR. CARTER:

6 Q. Do you know whether or not
7 anyone raised any red flags based on any of
8 these requests?

9 MR. CURRAN: Objection as to
10 form.

11 You may answer.

12 THE WITNESS: I'm not aware if
13 they did.

14 MR. CARTER: Chris, I don't
15 know what your preferred timing is.
16 Did you want to stop for something to
17 eat, or do you want to just keep
18 pushing through?

19 MR. CURRAN: Keep pushing
20 through as long as the witness is
21 comfortable, and we'll grab a quick
22 bite on a ten-minute break. But let's
23 push on through.

24 MR. CARTER: Okay. That's
25 fine.

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1 MR. CURRAN: We'll leave it to
2 the witness to tell us if he needs a
3 break. And, Sean, if you at some
4 point really need a break, just say
5 so.

6 MR. CARTER: Yeah, that's fine.

7 THE WITNESS: If we can tick on
8 for a little longer, Mr. Carter,
9 that's fine with me.

10 MR. CARTER: Okay. Great.

11 QUESTIONS BY MR. CARTER:

12 Q. I'd like to turn our attention
13 a bit to issues relating to actions taken
14 after 9/11 with regard to any of these
15 accounts in the name of Al Haramain and IIRO.

16 A. Would that be correct to say
17 that's 3F?

18 (Al Rajhi Bank 30(b)(6) Exhibit
19 ARB 18 marked for identification.)

20 QUESTIONS BY MR. CARTER:

21 Q. I believe that that's correct,
22 but let me -- yes, and likely encompassing
23 some of the other topics in this section.

24 And if we can mark as the next
25 exhibit the document at Tab 76 -- and,

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1 Carrie, if you don't mind, can you tell me
2 what exhibit number we're at?

3 GINA VELDMAN: We are on 18.

4 MR. CARTER: Great.

5 THE WITNESS: Just a moment,
6 please. Apologies. We're just having
7 a little trouble getting it to load.

8 Okay. I have it on the screen.

9 If you give me a moment, I'll read it.

10 Thank you. I'm reading the second
11 page now.

12 Thank you, Mr. Carter. Go
13 ahead.

14 QUESTIONS BY MR. CARTER:

15 Q. Sure.

16 Mr. Galloway, have you reviewed
17 these documents in preparation for your
18 deposition today?

19 A. I'm aware of this issue. I
20 can't recall reading this specific document,
21 but I'm aware of it.

22 Q. Okay. And if I'm correct, the
23 document that was produced at 14382 and the
24 document at 14384, so the first and third
25 pages of this exhibit, appear to include

1 similar text?

2 A. Could you explain what you mean
3 by that?

4 Q. Okay. The document at 14382
5 appears to be an e-mail version of the
6 document apparently sent by fax at 14384.

7 A. I see what you're saying.

8 MR. CURRAN: They're different
9 recipients, huh? Or different
10 addresses.

11 MR. CARTER: Okay. Well, let's
12 ask that. Let me -- let me go back.

13 QUESTIONS BY MR. CARTER:

14 Q. The page at 14382 includes an
15 e-mail field, correct?

16 A. 14382, you're meaning that
17 there are e-mail addresses in the top header?
18 Is that what you're referring to?

19 Q. Yeah.

20 MR. CURRAN: It's on the
21 screen.

22 THE WITNESS: Got it. Thank
23 you, yeah. Got it.

24 Excuse me. Yes, there appears
25 to be e-mail addresses in the header.

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1 QUESTIONS BY MR. CARTER:

2 Q. And it indicates that it was
3 sent on March 7, 2002, correct?

4 A. Gregorian dates, correct.

5 Q. Yeah. And the subject is
6 Banks' SSC.

7 Do you know what that refers
8 to?

9 A. I believe it would be referring
10 to SAMA's bank self supervisory committee
11 that was created after the events of 9/11 for
12 the banks to work together through action
13 requests from SAMA related to that matter.

14 Q. And did Al Rajhi Bank have a
15 representative on the self supervisory
16 committee at this time?

17 A. Yes, they did.

18 Q. Do you know who that was?

19 A. Yes. It was the head of legal
20 affairs at the time. And --

21 Q. And do you see that person
22 identified in the e-mail addressee field?

23 A. This is -- I don't -- do not
24 see his address there, unless you can point
25 it out to me.

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1 Q. Okay. No, but this document
2 was produced by Al Rajhi Bank, so at some
3 point it obviously came into Al Rajhi Bank's
4 control, correct?

5 A. Yes. If it's in Al Rajhi's
6 files, that seems reasonable.

7 Q. And the content of the document
8 communicates that "Further to our previous
9 fax letter dated 6 March 2002 on the above
10 subject containing three names received from
11 SAMA, we have received instructions from SAMA
12 that in addition to the account freeze, any
13 financial transactions and transfers to or
14 from the listed names should be immediately
15 blocked and reported to SAMA."

16 Do you see that?

17 MR. CURRAN: I think the
18 highlighting might be in the wrong
19 place.

20 MR. CARTER: Yeah. It's under
21 the Urgent and Confidential section.

22 THE WITNESS: Yeah, I see where
23 that's written.

24 QUESTIONS BY MR. CARTER:

25 Q. And the next page of this

1 document identifies three entities:
2 International Islamic Relief Organization's
3 branch in Albania, Al Haramain Islamic
4 Foundation's branch in Bosnia, and Al
5 Haramain Islamic Foundation's branch in
6 Somalia.

7 Do you see that?

8 A. Yes, I do.

9 Q. Do you know whether those are
10 the three entities that are being referenced
11 in the prior page?

12 A. I'm not sure I understand your
13 question.

14 Q. The first page of the document
15 refers to three names received from SAMA, and
16 the second page identifies three entities.

17 Do you understand those to be
18 the three names that the first page of the
19 document is referencing?

20 MS. BEMBRY: Objection to form.

21 THE WITNESS: If they are two
22 pages from the same document, that's
23 probably a reasonable conclusion.

24 MS. KHATIB: Sean, I'd also
25 like to object on the name for the

1 organization. In the Arabic document
2 on page 8, they use a different name
3 for IIRO. It's not using the same --
4 the same term for what IIRO uses in
5 its Arabic name. So I just wanted to
6 note that.

7 MR. CARTER: I don't know who's
8 speaking.

9 MS. KHATIB: Sumayya. Sorry.
10 Sumayya Khatib on behalf of IIRO.

11 MR. CARTER: Okay.

12 QUESTIONS BY MR. CARTER:

13 Q. Okay. Turning to the next two
14 pages of this document --

15 MR. CURRAN: Sean, I'm going to
16 insert an objection here. You're
17 referring to this as a document, when
18 I think it's apparent that it's not a
19 single document, and the pages might
20 be out of order and so forth.

21 So I'll just lodge an objection
22 to the characterization of this as a
23 single document.

24 MS. BEMBRY: Join in this
25 objection.

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1 MR. CARTER: Part of this is
2 what we're trying to ascertain.

3 QUESTIONS BY MR. CARTER:

4 Q. Let's turn to the -- let's turn
5 to the document produced at 14384, which is
6 the third page.

7 And, Mr. Galloway, do you agree
8 that this appears to be a document that was
9 sent by fax?

10 MS. BEMBRY: Objection to form.

11 THE WITNESS: I can see there
12 are fax numbers on it. I can see some
13 printing on the top of it. I don't
14 have any definitive way to determine
15 that that was a fax.

16 QUESTIONS BY MR. CARTER:

17 Q. Okay. And the addressee field
18 of the document identifies a number of
19 individuals, and that includes their fax
20 numbers?

21 A. That is correct.

22 Q. Okay. And it does include a
23 representative of Al Rajhi Bank, correct?

24 MR. CURRAN: Not there. Thank
25 you.

1 THE WITNESS: Yeah, Saleh

2 Al-Jarbou. Correct?

3 QUESTIONS BY MR. CARTER:

4 Q. And during this time period,
5 was Saleh M. Al-Jarbou the Al Rajhi Bank
6 representative to the bank's self supervisory
7 committee?

8 A. That's correct. And he was
9 there because SAMA wanted cross-business as
10 well as cross-functional representation. So
11 I believe they had two legal people from the
12 bank. They had a couple of people from
13 operations, a couple from marketing, et
14 cetera.

15 So he was there in that
16 capacity as Al Rajhi Bank's representative,
17 and they asked for Al Rajhi Bank to provide a
18 legal representative. That's the basis of
19 his appointment.

20 Q. Okay. And the -- what looks
21 like the -- a fax transmission detail at the
22 top of this page reflects a Gregorian date of
23 7 March 2002 at 11:39, correct?

24 A. That's what it says.

25 Q. Okay. And turning to the prior

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1 page of this exhibit, ARB 14383.

2 A. Yeah, I'm not 100 percent sure
3 that that is the prior page of the same
4 document.

5 Q. No, no, no, it's the prior page
6 of the exhibit as we've marked it. And we'll
7 get to the issue you're addressing.

8 So the page at 14383 also
9 includes what appears to be a fax detail,
10 correct?

11 A. To the extent to which the
12 first one was a fax detail, they look
13 similar.

14 Q. Okay. And like the page at
15 14384, it indicates a date of 7 March 2002 at
16 11:39, correct?

17 A. That's what the stamp says.

18 Q. And do you know whether the
19 three entities referenced in the text of the
20 document at 14384 are the three entities
21 identified on 14383?

22 MS. BEMBRY: Objection to form.

23 THE WITNESS: To the extent to
24 which you might say the two documents
25 are connected and part of the same,

1 there's the first page references
2 three organizations, the second page
3 has three lists, but I can't be sure
4 they're the same document other than
5 the stamps.

6 QUESTIONS BY MR. CARTER:

7 Q. Okay. One of the issues that
8 we're here to discuss today and that you're
9 here to testify about is the bank's knowledge
10 concerning any instructions that were
11 received from SAMA with regard to accounts
12 for Al Haramain and IIRO branch offices, and
13 that's at 3(g).

14 Do you see that topic?

15 A. Yes, I do.

16 Q. And based on your preparation
17 to testify as to that topic, do you know
18 whether Al Rajhi Bank received instructions
19 in March of 2002 pertaining to the
20 International Islamic Relief Organization's
21 branch in Albania, Al Haramain Islamic
22 Foundation's branch in Bosnia, and Al
23 Haramain Islamic Foundation's branch in
24 Somalia?

25 MS. BEMBRY: Note my objection

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1 to -- the reference to the
2 International Islamic Relief
3 Organization branch in Albania, based
4 on the notation made by my colleague
5 and in the translation of that
6 document.

7 Also object to lack of
8 foundation.

9 MR. CARTER: Yeah, you can just
10 state your objection, because the
11 document we're talking about is an
12 English document.

13 MS. BEMBRY: And it's based on
14 an Arabic doc -- the translation of an
15 Arabic document.

16 Is that the case or no?

17 MR. CARTER: It's not our
18 translation. It's a document produced
19 in English by Al Rajhi Bank.

20 MS. BEMBRY: I'll note my
21 objection. Objection to the form and
22 objection noted as to translation.

23 MR. CARTER: Okay. And again,
24 just clarifying that this is a
25 document produced to us in English.

1 And so my question remains, if
2 Carrie could read -- reread it.

3 (Court Reporter read back
4 question.)

5 MS. BEMBRY: Same objections.

6 MR. CURRAN: You may answer.

7 THE WITNESS: It's my belief we
8 did receive instruction.

9 MR. CARTER: I'm sorry, Carrie,
10 can you read that back?

11 (Court Reporter read back
12 answer.)

13 QUESTIONS BY MR. CARTER:

14 Q. It's your understanding that
15 you did receive instruction regarding the
16 three entities identified on the page
17 produced at 14383; is that correct?

18 MS. BEMBRY: Objection to form.

19 MR. CURRAN: The witness may
20 answer.

21 THE WITNESS: That's correct.

22 I'd also note that Al Rajhi
23 Bank only had accounts with the local
24 KSA entities about Al Haramain and
25 IIRO. And someone did not instruct

1 ARB to block IIRO KSA or Al Haramain
2 KSA -- sorry, I said KSA. Sorry.
3 Again, not to block the IIRO KSA or
4 the Al Haramain KSA entity accounts.

5 So there was no instruction to
6 block the accounts that Al Rajhi had
7 with those entities.

8 QUESTIONS BY MR. CARTER:

9 Q. And have you seen any documents
10 reflecting actions undertaken by Al Rajhi in
11 response to this directive?

12 MR. CURRAN: Objection as to
13 form. Lack of foundation.

14 You may answer.

15 THE WITNESS: Al Rajhi Bank had
16 no accounts with those entities.

17 QUESTIONS BY MR. CARTER:

18 Q. What steps do you understand
19 the bank took to verify that it didn't have
20 any accounts for those entities?

21 A. I don't have that in front of
22 me, but I know that all of the SAMA self
23 supervisory committee instructions as
24 received were all actioned promptly and
25 diligently, and that I also know that we, as

1 a bank, maintained we had no relationship
2 with those entities outside The Kingdom.

3 Q. And one of the entities that is
4 on this list is Al Haramain Bosnia, correct?

5 A. That appears to be true.

6 Q. Okay. And do you recall
7 earlier that we discussed a document listing
8 various Al Haramain accounts that was
9 produced at ARB 38116 that included an
10 account for the Europe committee?

11 A. Would you show me the document
12 again, please?

13 Q. Sure.

14 MR. CARTER: Scott, do you
15 know -- it was the document at Tab 73,
16 and I don't have the exhibit number.
17 Give us one second.

18 GINA VELDMAN: It's Exhibit 5.

19 QUESTIONS BY MR. CARTER:

20 Q. Okay. Exhibit 5.

21 A. Perhaps, Mr. Carter, while
22 you're just getting that on the screen, I
23 would note that --

24 MR. CURRAN: Well,
25 the document -- I forget if there's a

1 question pending.

2 MR. CARTER: We were just
3 asking to get the -- whether he
4 recalls discussing the document that
5 was marked as Exhibit 5.

6 THE WITNESS: Yeah. And you
7 had a particular point on that
8 document you wanted to show me, right?

9 QUESTIONS BY MR. CARTER:

10 Q. Yeah. So --

11 A. Exhibit 5?

12 Q. That document indicates that Al
13 Rajhi Bank had an account for an Al Haramain
14 Europe committee, and that's under Section 5.
15 And across from that, there's an indication
16 that that account concerned Bosnia.

17 A. Yeah, I would note at the same
18 time also that Abdullah al Rajhi directed the
19 Ministry of Islamic Affairs to ask if the
20 bank should be taking any action on our Al
21 Haramain accounts.

22 And the Ministry of Islamic
23 Affairs said that all of them were authorized
24 in KSA to operate. All the KSA accounts were
25 authorized to operate.

1 Q. What is the date of that letter
2 that you're referring to?

3 A. This is 2004.

4 Q. Okay. Well, we're talking
5 about the 2002 period and what Al Rajhi Bank
6 did in response to the instruction that you
7 understand it had received in 2002 that
8 concerned, among others, Al Haramain's branch
9 in Bosnia.

10 So with regard to this 2002
11 request, do you agree with me that your
12 understanding is that it concerned Al
13 Haramain Islamic Foundation's branch in
14 Bosnia, correct?

15 A. That appears to be the case.

16 Q. And the document that we
17 previously marked as Exhibit 5 indicates that
18 Al Rajhi Bank had an account for Al
19 Haramain's Europe committee that included in
20 its description Bosnia, correct?

21 A. That's what it says on the
22 document.

23 Q. And so what steps did Al Rajhi
24 Bank take in 2002 to ascertain whether any of
25 the Al Haramain accounts it was maintaining

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1 were being operated for the benefit of the Al
2 Haramain Bosnia branch?

3 A. I don't have the specific
4 answer to that.

5 Q. Okay. We reviewed earlier the
6 names of the 95 accounts reflected in the
7 account statements that we've received, and
8 many of them designate the count merely as Al
9 Haramain Islamic Foundation.

10 What did Al Rajhi Bank do in
11 2002 to determine whether any of those
12 accounts were operated for the benefit of the
13 Bosnia branch of Al Haramain?

14 A. I do know that after SAMA
15 guidance was received generally in relation
16 to the bank's self supervisory committee,
17 that the general manager instructed all of
18 management to follow SAMA's instructions and
19 to use regular audits to ensure we were
20 compliant.

21 Q. Okay. But what steps are you
22 aware of, sitting here today, that Al Rajhi
23 Bank took in this 2002 time period to
24 determine whether any of its accounts for Al
25 Haramain were being operated for the benefit

1 of Al Haramain Islamic Foundation's branch in
2 Bosnia?

3 MR. CURRAN: Objection as to
4 form. Lack of foundation.

5 You may answer.

6 THE WITNESS: I don't have any
7 specific information to answer that.

8 QUESTIONS BY MR. CARTER:

9 Q. And what steps are you aware
10 of, sitting here today, based on your
11 preparation for the deposition, that Al Rajhi
12 Bank took in 2002 in response to this
13 directive to determine whether any of its
14 accounts on behalf of Al Haramain Islamic
15 Foundation were being operated for the
16 benefit of Al Haramain's branch in Somalia?

17 A. I would just say as I did
18 earlier, that there was a process in place to
19 follow up on all SAMA's directives and to
20 ensure that we were auditing for same.

21 With respect to these
22 particular activities, I don't have anything
23 at hand to answer that question.

24 Q. And what information, if any,
25 do you have concerning steps that were taken

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1 in response to this directive to ascertain
2 whether any of the IIRO accounts maintained
3 at Al Rajhi Bank were being operated for the
4 benefit of the entity identified on the
5 Document 14385 as International Islamic
6 Relief Organization's branch in Albania?

7 MS. BEMBRY: Objection to form
8 and to the identification of that
9 branch.

10 MR. CURRAN: Objection as to
11 form and lack of foundation.

12 You may answer.

13 THE WITNESS: I'd offer my same
14 answer I gave to the earlier question,
15 that we had a diligent and applied
16 process to action in a timely manner,
17 and it was followed up by internal --
18 internal auditors as an assurance
19 function.

20 QUESTIONS BY MR. CARTER:

21 Q. But, again, what steps, if any,
22 are you aware of that were undertaken to
23 determine whether any of the Al Rajhi bank
24 accounts in the name of the IIRO were being
25 operated for the benefit of the International

1 Islamic Relief Organization's branch in
2 Albania as identified in 14385?

3 MS. BEMBRY: Same objections.

4 MR. CURRAN: Same objections,
5 and asked and answered.

6 But you may answer.

7 THE WITNESS: I don't have any
8 specific information to answer that.

9 (Al Rajhi Bank 30(b)(6) Exhibit
10 ARB 19 marked for identification.)

11 QUESTIONS BY MR. CARTER:

12 Q. If we can mark as the next
13 exhibit the document at Tab 77.

14 A. Apologies for the delay. We're
15 just loading it.

16 MR. CURRAN: This is a
17 multipage document?

18 MR. CARTER: It's a multipage
19 document, and we'll ask him whether or
20 not it was part of the same issue.

21 MR. CURRAN: Okay. Just took a
22 long time for it to load, but he has
23 it.

24 THE WITNESS: I have it.

25 MR. CARTER: Yeah, there's -- I

1 think the Arabic documents slow it
2 down.

3 THE WITNESS: If you would give
4 me a moment, I'll read it.

5 Okay. I've read it. Thank
6 you.

7 QUESTIONS BY MR. CARTER:

8 Q. And, Mr. Galloway, the first
9 page of this document appears to be a
10 correspondence from the Saudi Arabian
11 monetary authority to representatives of the
12 self supervisory committee, correct?

13 A. Sorry, Mr. Carter, we're on
14 number -- on your sheet at the moment? Item
15 number what?

16 Q. It's -- 17377 is the Bates
17 number.

18 A. No, I apologize. I'm meaning
19 in relation to your discussion guide for
20 today.

21 Q. Oh.

22 MR. CURRAN: It might be 4(a),
23 but Mr. Carter --

24 MR. CARTER: I think it's --
25 well, I think it's going to be

1 encompassed by 3(f). Probably 4(a).

2 THE WITNESS: Yeah, fine.

3 Thank you. Please go ahead.

4 QUESTIONS BY MR. CARTER:

5 Q. Okay. The first page of this
6 exhibit appears to be a communication from
7 the Saudi Arabian Monetary Authority to
8 representatives of the self supervisory
9 committee, correct?

10 A. I would agree with that.

11 Q. And you understand that this
12 was a document that was received by Al Rajhi
13 Bank from the Saudi Arabian Monetary
14 Authority in 2004?

15 A. Yeah, July 19, and I can see
16 the Al Rajhi reference number on the bottom
17 of the page.

18 Q. Okay. And it refers to a
19 number 100 of the tasks implemented by the
20 Saudi Arabian Monetary Authority?

21 A. Yes, I can see --

22 Q. In the first paragraph?

23 A. I can see that. Thank you.

24 Q. Are you familiar with that
25 terminology, "tasks implemented by the Saudi

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1 Arabian Monetary Authority"?

2 A. I'm familiar SAMA was issuing a
3 variety of lists over a period of time that
4 asked the banks to do certain things.

5 Q. Okay. So the tasks are
6 directives from SAMA to the banks?

7 A. That's as I understand it, or
8 they could be inquiries.

9 Q. And the next page of the
10 exhibit, 17378 Bates number --

11 A. Yes.

12 Q. -- again bears the heading of
13 SAMA, and there's a header below that
14 indicating that it concerns task number 100
15 required to be implemented by SAMA, correct?

16 A. Sorry, Mr. Carter. I'm
17 struggling a little bit because the video is
18 over the top of the document.

19 So task 100, I've got you now.
20 Thank you very much. I've read it.

21 Q. So you agree that the prior
22 page referred to SAMA's task number 100, and
23 this page also refers to task number 100?

24 A. They appear to be connected,
25 yes.

1 Q. Okay. And the second page, at
2 17378, indicates that it includes a list with
3 14 names, correct?

4 A. On a separate page. 14? I can
5 get 7 --

6 Q. Well, just under the box, it
7 says, "A list with 14 names is enclosed."

8 Correct?

9 A. It says that, and I can see 14
10 names in the document you sent.

11 Q. And just to follow up on what
12 you just said, then the pages at 17379 and
13 17380 include 14 names, correct?

14 A. That is correct.

15 Q. And do you agree that this
16 collection of documents concerns an
17 instruction from SAMA concerning those 14
18 names?

19 A. It's a collection of 14 names.
20 I can agree that.

21 Q. And going back to 17378.

22 A. One moment, please.

23 Q. The particular action SAMA is
24 requesting with regard to those is disclosing
25 and seizing accounts and remittances,

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1 correct?

2 A. That's what it says.

3 Q. And do you therefore understand
4 SAMA to have been directing Al Rajhi Bank and
5 others to take action to disclose and seize
6 accounts and remittances associated with the
7 14 names included in this exhibit?

8 A. It appears to indicate that.

9 Q. And then turning to the third
10 page at 17379.

11 A. One moment, please. Yeah.

12 Q. There are handwritten
13 notations, numbers, next to several of the
14 entities.

15 Do you see those?

16 A. I can see faded numbers next to
17 them. I don't know if they relate to the
18 entries themselves or not.

19 Q. Do you know what they concern
20 at all?

21 A. I have no idea.

22 Q. Let's turn to the last page of
23 the exhibit.

24 And entities 8 through 12 on
25 that list are all branches of Al Haramain,

1 correct?

2 A. That's what it says.

3 Q. And next to each of those,
4 there's a handwritten notation with numbers
5 next to it.

6 Do you see those?

7 MR. CURRAN: Objection as to
8 form.

9 Isn't number 10 missing a
10 number?

11 Anyway, you may answer.

12 QUESTIONS BY MR. CARTER:

13 Q. Sorry. Yeah. I'm sorry, it's
14 a -- faded.

15 Next to numbers 8, 9, 11 and
16 12, there are handwritten notations of
17 numbers, correct?

18 A. Well, there are handwritten --
19 appear to be handwritten notations in the
20 margin. I don't know if they relate to the
21 entries on the left side of the page.

22 Q. Do you have any idea what those
23 handwritten entries indicate?

24 A. No, I'm afraid I do not.

25 Q. Do you know whether they have

1 anything to do with any diligence conducted
2 by Al Rajhi Bank concerning those entities?

3 A. I've seen nothing to indicate
4 that.

5 Q. Do you know whether or not
6 those were included on the document by
7 someone at Al Rajhi Bank?

8 A. I can't comment on that. I
9 don't know.

10 Q. Did you, as part of your
11 preparations, make any inquiry at Al Rajhi
12 Bank to try to determine what those
13 handwritten notations may concern?

14 MR. CURRAN: Objection as to
15 form.

16 You may answer.

17 THE WITNESS: I am prepared to
18 respond to the 45 questions and
19 subsections you had, Mr. Carter. I
20 haven't prepared myself to respond to
21 notes that may or may not relate in
22 the margin to a document amongst all
23 the thousands that I reviewed.

24 QUESTIONS BY MR. CARTER:

25 Q. Well, we understand this

1 document to have been produced in response to
2 discovery requests concerning instructions
3 that Al Rajhi Bank received relating to Al
4 Haramain -- or Aqeel Al-Aqil and -- in
5 relation to the actions Al Rajhi Bank took in
6 response to such notifications.

7 And I'm just trying to find out
8 whether or not the handwritten notations are
9 in some way relevant to Al Rajhi Bank's
10 response to SAMA's instruction with regard to
11 these entities.

12 MR. CURRAN: Objection as to
13 form. The deposition notice could
14 have specified this particular
15 document in that inquiry and did not.

16 You may answer.

17 THE WITNESS: What I know from
18 my inquiries is Al Rajhi Bank didn't
19 have any accounts with any of these Al
20 Haramain entities, and that the KSA
21 entity accounts of Al Haramain were
22 not required to be blocked by SAMA. I
23 know that seems to be true.

24 QUESTIONS BY MR. CARTER:

25 Q. And related to the discussion

1 we had earlier, as you sit here today, did
2 you conduct an inquiry to determine what due
3 diligence Al Rajhi Bank undertook in response
4 to this instruction to determine whether any
5 of its Al Haramain accounts were being
6 operated for the benefit of the Al Haramain
7 Netherlands branch?

8 A. As I responded earlier, we have
9 no entity accounts outside of KSA.

10 Q. Well, I'm asking whether or not
11 Al Rajhi Bank took steps to test that
12 principle by conducting an inquiry to
13 determine whether or not any of the accounts
14 it had were being operated for the benefit of
15 Al Haramain Netherlands branch.

16 A. Well, what I can say,
17 Mr. Carter, is we took all of the SAMA
18 instructions, and then as he says, this is
19 list 100. Those were all being actioned
20 diligently. And to the best of my knowledge,
21 Al Rajhi Bank did that and, as a result of
22 doing that, also was auditing the same.

23 So the KSA accounts, to the
24 best of my knowledge, were not required by
25 SAMA to be blocked. And to the best of our

1 knowledge, we did not have any KSA -- any
2 accounts outside of KSA.

3 Q. So as long as the account was
4 opened in The Kingdom of Saudi Arabia, Al
5 Rajhi's view was that it was not required to
6 take any further action; is that correct?

7 A. That's not what I've said.

8 MR. CURRAN: Objection as to
9 form.

10 You may answer.

11 THE WITNESS: That's not what
12 I've said. I said we know where the
13 account's allocated, and we actioned
14 all of the SAMA instructions, and we
15 ordered the same. I don't have any
16 particular detail on the inquiry
17 making with respect to one specific
18 account or one specific action in the
19 many hundreds that the bank took.

20 QUESTIONS BY MR. CARTER:

21 Q. And we've discussed this
22 already, but just to revisit the issue of it.

23 You've acknowledged that there
24 were 95 accounts during the relevant time
25 period at Al Rajhi Bank for Al Haramain,

1 correct?

2 A. Yeah, that's what I said
3 earlier.

4 Q. And some of those accounts are
5 identified generically as pertaining just to
6 Al Haramain, correct?

7 A. That is what was on the sheet
8 you showed me. I don't know if there are any
9 further identifications in the rest of the
10 files.

11 Q. And again, for purposes of
12 today's testimony, do you have any
13 information concerning any inquiry conducted
14 by Al Rajhi Bank to determine whether any of
15 those 95 accounts were being operated for the
16 benefit of the Al Haramain Netherlands
17 branch?

18 A. All I can say, Mr. Carter, is
19 that we actioned diligently all requests from
20 SAMA, and we ordered it for the application
21 of the same thing.

22 Q. Right.

23 And I'm trying to understand
24 what actions you took in response.

25 A. Yeah.

1 Q. Other than the generalized
2 representation that you respond diligently.

3 A. Yeah, with respect to that
4 specific action, I can't make a comment
5 because I don't know the answer.

6 Q. Okay. And is that also true as
7 to the next entry, the Ethiopia branch of Al
8 Haramain?

9 A. Well, Mr. Carter, we received
10 the instructions, and Abdullah al Rajhi wrote
11 to the Ministry of Islamic Affairs to ask if
12 the bank should be taking any action on the
13 Al Haramain accounts.

14 And that was 39945, is the
15 Bates number.

16 Q. And so the action you're
17 referring to is a letter from Abdullah al
18 Rajhi to the Ministry of Islamic Affairs?

19 A. That's correct.

20 Q. And Al Rajhi was aware at that
21 time that the Ministry of Islamic Affairs had
22 a role in Al Haramain itself?

23 MR. CURRAN: Objection as to
24 form.

25 THE WITNESS: No, it was -- it

1 was the licensing authority for
2 charities.

3 QUESTIONS BY MR. CARTER:

4 Q. Well, I think we agreed earlier
5 that Al Rajhi Bank had information in its
6 possession that Al Rajhi Bank was
7 operating -- or Al Haramain was operating
8 under the supervision of the Deputy Minister
9 of Islamic Affairs, correct?

10 A. Yes, that's correct.

11 Q. So based on that, Al Rajhi Bank
12 had an understanding that in the period
13 before 9/11 and before 2004, the Ministry of
14 Islamic Affairs was involved in the
15 supervision of Al Haramain, correct?

16 A. That's my understanding.

17 Q. And so Abdullah al Rajhi wrote
18 to the entity that had been responsible for
19 supervising Al Haramain to ask whether action
20 should be taken as to Al Haramain?

21 MR. CURRAN: Objection as to
22 form. Lack of foundation.

23 You may answer.

24 THE WITNESS: Yeah, this is
25 what we covered earlier, that clearly

1 there were two roles. And I assume
2 that a minister -- minister of the
3 Ministry of Islamic Affairs was able
4 to separate those responsibilities.

5 QUESTIONS BY MR. CARTER:

6 Q. And again, aside from asking
7 about that, are you aware of any actions
8 undertaken by Al Rajhi Bank to determine
9 whether any of the Al Haramain entities --
10 whether any of the Al Haramain accounts at
11 the bank were being operated for the benefit
12 of any of the Al Haramain entities on this
13 list?

14 A. What I know is that the Al
15 Haramain Saudi entities were local entities
16 and that we didn't have any offshore Al
17 Haramain entities.

18 Q. That's your understanding,
19 correct?

20 A. That's my understanding.

21 Q. And the last name on this list
22 at 14 is Aqeel Abdulaziz Al-Aqil.

23 Do you see that?

24 A. Yes, I can.

25 Q. And you're aware that Aqeel

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1 Abdulaziz Al-Aqil is identified as the person
2 who had signatory authority over numerous of
3 the Al Haramain accounts at Al Rajhi Bank,
4 correct?

5 A. I can't tell that from reading
6 this.

7 Mr. Carter, would you mind if
8 we take a break now?

9 MR. CARTER: Sure. That's
10 fine.

11 THE WITNESS: Thank you.

12 VIDEOGRAPHER: Off record. The
13 time is 8 o'clock.

14 (Off the record at 8:00 p.m.)

15 VIDEOGRAPHER: Back on record.

16 Time is 8:17.

17 QUESTIONS BY MR. CARTER:

18 Q. Mr. Galloway, before we took
19 the short break, we were discussing the
20 instruction from SAMA in 2004 concerning 14
21 names. And I had pointed out that the 14th
22 name provided was Aqeel Abdulaziz Al-Aqil.

23 Do you see that on the document
24 at 17380?

25 A. Yeah, I can see the name.

1 Q. And if we go back to the
2 document we marked as Exhibit 8, do you
3 recall this was the letter from the Deputy
4 Minister of Islamic Affairs concerning the
5 transfer of nine of accounts into the name of
6 Al Haramain?

7 A. I remember that, yeah.

8 Q. And do you see on there that
9 the deputy minister indicates that signatory
10 authority for the accounts, once transferred
11 to Al Haramain, shall be determined by Sheikh
12 Aqil bin Abdel Aziz al Aqil?

13 A. I can see that.

14 Q. So do you agree with me that as
15 of 1998, Al Rajhi Bank had information
16 available to it that Sheikh Abdul Aziz -- or
17 Sheikh Aqil bin Abdel Aziz al Aqil had
18 responsibility for determining signatory
19 authority over the Al Haramain accounts?

20 MR. CURRAN: Objection as to
21 form.

22 You may answer.

23 THE WITNESS: What I
24 can confirm is he had two roles. He
25 had a role as the regulator of the

1 charities that he has -- he has a
2 signature on here that -- so, sorry.
3 Can I just recant that and say that I
4 agree that he had signature authority
5 on the basis of this letter?

6 QUESTIONS BY MR. CARTER:

7 Q. Okay. And then we had marked,
8 I think, an additional version of that
9 letter. It's the one that was at Tab 14 that
10 included an attachment, and I don't remember
11 what exhibit it was.

12 GINA VELDMAN: It's
13 Exhibit 14 -- I mean, 10. Sorry.
14 Exhibit 10.

15 QUESTIONS BY MR. CARTER:

16 Q. Exhibit 10.
17 And if we can turn to that --
18 second page of that document indicates that
19 Agil bin Abdel Aziz al Agil would have
20 signatory authority over the nine accounts,
21 correct?

22 A. That appears to be the case.

23 Q. And in response to the 2004
24 SAMA instruction concerning the 14 entities,
25 do you know what, if any, action Al Rajhi

1 Bank took to determine --

2 A. Yeah, I can tell there's been a
3 sequence of events leading up to this point
4 that seem to be missing in the conversation
5 we're having now.

6 The first was the formation of
7 the self supervisory committee. SAMA
8 instructed no bank to close accounts without
9 SAMA's express instruction, which would have
10 been issued through the self supervisory
11 committee.

12 SAMA sent instructions
13 regarding charities, and the bank believed
14 they're in compliance with all of those
15 requirements.

16 And then the bank sent a letter
17 to SAMA to inquire about Al Haramain, to
18 which the SAMA didn't reply. The bank, being
19 so concerned about this, then took steps to
20 contact other relevant government departments
21 to confirm it was in compliance with all
22 aspects of dealing with Al Haramain.

23 And the SAMA circular said that
24 it needed a license from the Ministry of
25 Labor or the Ministry of Islamic Affairs.

1 And SAMA confirmed the Ministry
2 of Islamic Affairs was the proper licensing
3 authority for charities.

4 And in April 20, 2003, SAMA
5 instructed the banks to consolidate all Al
6 Haramain KSA accounts under a single account
7 number, which surely they wouldn't have done
8 if they had concerns about them operating.

9 And then in April 30, 2003, Al
10 Rajhi Bank confirms to SAMA that it's
11 consolidated the Al Haramain accounts into
12 one account.

13 And then in a January 2004
14 letter to SAMA, the bank requested clarity in
15 future dealings with SAMA charities,
16 including IIRO, Al Haramain. And in that
17 letter, Mr. Abdullah al Rajhi notes that the
18 Al Haramain charitable foundation is already
19 licensed, and he cites the licensing proof
20 that we had as a bank.

21 And then in --

22 Q. Mr. Galloway, I have limited
23 time, and I'm going to need you to answer my
24 questions. This is a long speech. And if
25 your counsel wants to ask you questions, he

1 can.

2 MR. CURRAN: Excuse me,
3 Mr. Carter. You can't interrupt the
4 witness like that. Come on.

5 MR. CARTER: Chris, it's a very
6 long -- that's a very long -- it's a
7 very long -- I let him go for a while.
8 I let him go for a while. If you want
9 to ask him questions, you can.

10 MR. CURRAN: No, no, no. You
11 asked a question, and he's giving the
12 response. You can't interrupt him.
13 You know that.

14 MR. CARTER: It's not
15 responsive. It is not responsive.

16 MR. CURRAN: The witness may
17 continue with his answer.

18 THE WITNESS: Mr. Carter, I'm
19 laying out a series of events that
20 make it abundantly clear that Al Rajhi
21 Bank took very detailed, numerous
22 steps over a considerable period of
23 time to be sure it was in compliance
24 with its lead regulator, SAMA, and to
25 make sure it had the appropriate

1 licenses to operate the very accounts
2 that you're inquiring about.

3 I'm just trying to lay that out
4 for the record because you're busy
5 creating other linkages, which I
6 think, based on the evidence we have
7 here, the bank took abundant, numerous
8 measures over a period of time to
9 ensure that we were compliant and we
10 were operating safely, fairly and
11 within the law.

12 MR. CURRAN: Please continue.

13 MR. CARTER: I'm going to move
14 to strike the answer as nonresponsive.

15 QUESTIONS BY MR. CARTER:

16 Q. My question concerns --

17 MR. CURRAN: No, no, no. No,
18 you can make your motion. We oppose
19 the motion, but the witness is
20 entitled to finish his prior witness.

21 Mr. Carter, please --

22 MR. CARTER: My specific
23 question concerns --

24 MR. CURRAN: What steps were
25 taken.

1 MR. CARTER: -- what steps were
2 taken in response to the SAMA inquiry
3 to take action as to Aqil Abdel Aziz
4 al Aqil in 2004 to ascertain which of
5 the Al Haramain accounts he had
6 signatory authority over.

7 MR. CURRAN: And the witness is
8 entitled to provide context for his
9 answer. He was doing that.

10 THE WITNESS: You're talking
11 about events in 2004 against which
12 measures were taken since 2001 to
13 ensure we were compliant. I'm simply
14 trying to put that on the record.

15 QUESTIONS BY MR. CARTER:

16 Q. And I'm still trying to find
17 out whether or not you're aware of any
18 information concerning steps taken by the
19 bank in response to this particular directive
20 to identify accounts over which Aqeel Al-Aqil
21 had signatory authority that were held in the
22 name of Al Haramain.

23 MR. CURRAN: And the witness
24 may provide whatever context he feels
25 is necessary for responding to that

1 question.

2 Please continue.

3 THE WITNESS: So, in
4 February 25, 2004, there was a letter
5 to Ministry of Islamic Affairs that
6 requested confirmation that all Al
7 Haramain charitable accounts founda --
8 charitable foundation accounts have a
9 license from the competent authority
10 to carry out the charitable work.

11 And we got a letter from the
12 Ministry of Islamic Affairs on
13 March 13, 2004, that stated that Al
14 Haramain is authorized to carry out
15 charitable work.

16 And then on the 21st of March,
17 2004, the Ministry of Justice wrote to
18 the bank to state that Al Haramain and
19 IIRO, Muslim World League, World
20 Assembly of Muslim Youth, legally
21 established and permitted to operate
22 under its laws and regulations in KSA.

23 That, I can tell you is true.

24 QUESTIONS BY MR. CARTER:

25 Q. Mr. Galloway, you just

1 identified three things that happened before
2 July of 2004.

3 And the instruction from SAMA
4 that I'm asking you about was issued in July
5 of 2004. And I'm asking you about actions Al
6 Rajhi Bank took in response to this directive
7 from July 2004.

8 A. And I have no specific response
9 to that question.

10 Q. Thank you.

11 (Al Rajhi Bank 30(b)(6) Exhibit
12 ARB 20 marked for identification.)

13 QUESTIONS BY MR. CARTER:

14 Q. If we can, let's mark as the
15 next exhibit the collection of documents at
16 Tab 6.

17 A. Could you direct me to the area
18 of question these relate to, please?

19 Q. Yeah. This concerns, among
20 others, the topics under issue 12 pertaining
21 to the Sulaiman Abdul Aziz al Rajhi
22 Charitable Foundation --

23 A. Okay. Thank you.

24 Q. -- and transfers for the
25 benefit of the Da`wah organizations.

1 A. Thank you. Please go ahead.

2 Would you like me to read the
3 exhibit?

4 Q. Well, I think the first thing
5 is, I'd just like you to tell me if you're
6 familiar with these pages that were produced
7 at 38079 through 38106.

8 A. Can I confirm if the black
9 sections are redactions?

10 Q. They are. That's my
11 understanding, yes.

12 MR. CURRAN: Mr. Carter, how
13 long is this document?

14 MR. CARTER: Well, it's a
15 number of pages, Chris, and my
16 understanding is these reflect
17 transfers identified by the bank from
18 the foundation for the benefit of one
19 of the Da`wah organizations or its
20 principals.

21 And this is just a collection
22 of transfer information that the bank
23 provided to us.

24 MR. CURRAN: I see the witness
25 scrolling through what looks like a

1 document with scores of pages.

2 MR. CARTER: Well, there's the
3 Arabic behind it. And I think part of
4 the reason it's scores of pages is
5 because we got snippets of individual
6 transactions all on separate pages.
7 So there's not a tremendous amount of
8 information on each page.

9 MR. CURRAN: Okay.

10 THE WITNESS: Okay. Thanks for
11 your patience. So I've read through
12 it.

13 QUESTIONS BY MR. CARTER:

14 Q. Okay. Mr. Galloway, you're
15 aware that the second revised notice of
16 deposition included a number of topics
17 relating to the Sulaiman Abdul Aziz al Rajhi
18 Charitable Foundation under heading 12?

19 A. I'm aware there were questions,
20 yes.

21 Q. And among those, one of the
22 issues was concern of financial contributions
23 provided to the Da`wah organizations and
24 their principals by the foundation.

25 And that's at 12(b), correct?

1 A. Well, I'd note that the
2 foundation has never been an a parent,
3 subsidiary or affiliate of the bank, and the
4 bank's never had any oversight, supervision,
5 management or control over the foundation's
6 operations or their activities.

7 MR. CARTER: Chris, with
8 respect, that is not responsive to any
9 question that's been asked. And I
10 have limited time, so I'm going to ask
11 the witness to answer my questions. I
12 didn't even have a question pending,
13 other than whether or not he knows
14 that this topic was on the notice.

15 MR. CURRAN: Well, he was
16 responding to your identification of
17 the topic, but let's proceed.

18 QUESTIONS BY MR. CARTER:

19 Q. You're aware that this was one
20 of the topics, correct?

21 A. We are aware it's one of the
22 topics, that is correct.

23 Q. And what did you do to
24 familiarize yourself with the bank's
25 knowledge concerning transfers that were

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1 carried out from accounts in the name of the
2 foundation in favor of the Da`wah
3 organizations or their principals?

4 A. The bank checked account names,
5 accounts in the name of the charitable
6 foundation and Mr. Sulaiman al Rajhi.

7 Is that what you're asking me?

8 Q. Yeah. What did the -- what did
9 you do for purposes of preparing for the
10 deposition to determine what information the
11 bank had concerning transfers from the
12 foundation to the benefit of the Da`wah
13 organizations or their principals?

14 A. Transfers from these
15 charitable -- from the charitable foundation
16 accounts to the -- to what you're referring
17 to as the Da`wah organizations, is that
18 you're asking?

19 Q. And their principals, yes.
20 What did you do to learn about
21 that issue?

22 A. There was searches of the
23 transaction records.

24 Q. Okay. And the -- I understand
25 the collection of transfer information that

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1 we've marked as the exhibit in front of you
2 to be the result of those searches for the
3 transfers.

4 Is that correct?

5 A. That would seem logical.

6 Q. I'm not familiar with the
7 appearance and presentation of Al Rajhi
8 Bank's internal transfer information of this
9 nature.

10 Is this consistent with
11 information extracted from the bank's core
12 banking system relating to transaction
13 information?

14 A. Yeah, I think I mentioned it
15 some time ago. The statements as presented
16 would be the same as the statements seen by
17 the customer.

18 Q. And looking at the page in
19 front of you, 38079, and the upper corner,
20 I'm trying to understand this document that
21 was provided on this topic.

22 It indicates a date of December
23 30, 1998, through December 30, 1998.

24 Do you see that?

25 A. I do see that.

1 Q. Does that mean that the
2 transaction information that is included
3 below all occurred on that same day,
4 December 30, 1998?

5 A. I'm not sure.

6 Q. The document identifies
7 Sulaiman bin Abdul Aziz al Rajhi charitable
8 foundation.

9 Is that the account holder?

10 A. Yes, I believe it is.

11 Q. And it identifies an account
12 ending in 6006.

13 Do you see that?

14 A. Yes, I can.

15 Q. Do you know if that is the
16 account number for the charitable foundation?

17 A. Yes, I believe it is.

18 Q. Do you know whether there were
19 any other accounts for the charitable
20 foundation during the '98 through 2002 time
21 period?

22 A. I'm not aware of any.

23 Q. And there's a reference below
24 that masthead, opening balance, and it
25 references a minus 5,851,743, approximately,

1 riyals.

2 Do you see that?

3 A. I can see the entry.

4 Q. And do you know whether that is
5 the opening balance as of December 30, 1998?

6 A. I don't know that definitively.

7 Q. And beneath that, there is an
8 entry indicating a withdrawal by check, Al
9 Haramain Islamic Foundation.

10 Do you see that?

11 A. Are you referring to the entry
12 of 4.7 million riyals?

13 Q. Well, there's an entry --

14 A. Where the balance is the
15 100,000 withdrawal, is what you'd be saying,
16 right?

17 Q. I'm trying to understand the
18 document, so hoping you can help me.

19 Am I correct that this reflects
20 \$100,000 withdrawal from the Al Rajhi
21 charitable foundation account in favor of Al
22 Haramain?

23 A. I'm not 100 percent sure.

24 Q. And across from that, there is
25 an entry that includes -- that indicates

1 negative 4,717,587, approximately, riyals.

2 Do you know what that is
3 referring to?

4 A. Yes. I'm not sure whether
5 they're riyals or dollars, but I'm assuming
6 they're riyals.

7 I do not -- no, I can't -- I
8 can't tell you what the detail relates to.

9 Q. And at the bottom, there is --
10 there are a number of indications. On the
11 left it says "Currency SR."

12 Do you know if that refers to
13 the currency of Saudi riyals?

14 A. That seems like a conclusion
15 you could draw.

16 Q. And do you know what any of the
17 three entries across from that refer to?

18 A. No, Mr. Carter, I do not.

19 Q. And turning to the next page,
20 38080, this indicates the same date range of
21 December 30, '98, to December 30, '98.

22 Do you see that?

23 A. Yes, I do.

24 Q. And it refers to the same
25 account, correct?

1 A. It appears to.

2 Q. And in the bottom box it has
3 grand total numbers?

4 A. Yes, I can see that.

5 Q. Do you know what those grand
6 total numbers refer to?

7 A. No, I do not.

8 Q. Do you know whether the
9 2,408,604 number refers to the grand total of
10 the debits from the account on December 30,
11 1998?

12 A. By looking at this document in
13 its current form, I can't say that's true.

14 Q. And I gather then it means you
15 also can't tell me whether or not the
16 8,260,347.45 number refers to the total
17 credits to the account as of -- on
18 December 30, 1998?

19 A. That's also correct.

20 Q. What additional information
21 would you need to understand what those
22 numbers mean?

23 A. The headings on the columns
24 would help.

25 Q. And those are redacted?

1 A. I don't know what's behind the
2 redaction.

3 Q. The redactions are impacting
4 your ability to understand the document?

5 MR. CURRAN: Objection. Lack
6 of foundation.

7 You may answer.

8 THE WITNESS: Yeah, I'm not
9 familiar with the document, and I
10 haven't -- I haven't got the certainty
11 to be able to tell you what the
12 numbers relate to.

13 QUESTIONS BY MR. CARTER:

14 Q. The reason I'm asking,
15 Mr. Galloway, is because this is the
16 transaction information that was provided to
17 us in relation to transfers from the
18 foundation for the benefit of the Da`wah
19 organizations and their principals, which as
20 we've discussed is one of the topics we're
21 here today to address. And I'm trying to get
22 an understanding of the meaning of the
23 documents concerning that subject.

24 Am I correct that you're not
25 familiar with the documents and in a position

1 to tell us what they mean?

2 MR. CURRAN: Objection.

3 Overbroad.

4 You may answer.

5 THE WITNESS: I am aware that
6 the foundation had accounts, but I'm
7 not aware of the line item detail that
8 you're asking me for in the context of
9 preparing for 45 topics with multiple
10 subtopics, some of which, numbered a
11 dozen, I didn't get to the level of
12 detail and specificity you're asking
13 me to address to.

14 QUESTIONS BY MR. CARTER:

15 Q. Mr. Galloway, you just used the
16 word -- the plural word "accounts," and I'm
17 just trying to check.

18 Are there -- were there more
19 than one charitable foundation account that
20 you're aware of?

21 A. No, I used it in the context of
22 searching for accounts.

23 Q. Understood.

24 With regard to the transfer
25 that we mentioned earlier on 38079,

1 withdrawal by check, Al Haramain Islamic
2 Foundation for 100,000, that seems easy
3 enough for the bank to have identified
4 because it refers to Al Haramain Islamic
5 Foundation, correct?

6 A. Al Haramain Islamic Foundation
7 is in the annotation, that's correct.

8 Q. Is that the -- is that what you
9 understand to be the annotation field?

10 A. That's what I believe it is.

11 Q. And, you know, turning to
12 38082, there is a transaction disclosed.
13 Withdrawal by check, with a check number, in
14 the amount of 145,000, I believe, riyals.

15 Do you see that?

16 A. I can.

17 Q. And there's no reference to any
18 entity in the annotation field, correct?

19 A. That's correct.

20 Q. Do you know how Al Rajhi Bank
21 went about identifying transfers from the
22 foundation in favor of the Da`wah
23 organizations and their principals?

24 A. Do you have a section that
25 would relate to?

1 MS. BEMBRY: Sean, can I have a
2 standing objection to the definition
3 of Da`wah principal that's in
4 Exhibit 1, please?

5 MR. CARTER: Sure.

6 THE WITNESS: Mr. Carter, could
7 you repeat the question in order to
8 help me, please?

9 QUESTIONS BY MR. CARTER:

10 Q. Yeah.

11 I was just asking whether
12 you're familiar with the procedure that the
13 bank used to try to identify transfers from
14 charitable foundation accounts at the bank in
15 favor of the Da`wah organizations and their
16 principals?

17 A. Yeah, I have -- I have some
18 note here. If you wait one moment, I'll try
19 to find it.

20 There was a search of the core
21 banking system, and I think we established
22 the core banking system's purpose earlier.

23 We used fuzzy logic search to
24 try and find suitable alternative names. We
25 used further verification of the entity, and

1 we narrowed it down. We checked the account
2 file for photo ID number, and we did that in
3 both English and Arabic.

4 And then we also -- you know,
5 this is -- this is the general approach.

6 Q. During discussions between the
7 bank and the plaintiffs, there was reference
8 to a process of referring to the general
9 ledger to identify debits from the foundation
10 account that matched credit into the --
11 credit entries into the Da`wah organizations'
12 accounts at Al Rajhi Bank on the same day.

13 Do you know anything about
14 that?

15 A. Yeah, that was also conducted.

16 Q. Okay. And that would -- that
17 sort of process concerns transfers from the
18 foundation account that went into Da`wah
19 organization accounts at Al Rajhi Bank.

20 What was the process for
21 determining whether there were transfers from
22 the foundations to the Da`wah organizations'
23 accounts other than Al Rajhi?

24 A. I think there was a check to
25 ensure any beneficiaries that were set up

1 were noted.

2 Q. And when you say "beneficiaries
3 that were set up," what does that mean?

4 A. So if you establish a
5 beneficiary for payment to another bank, it
6 would leave a record of the beneficiary.

7 Q. Do you know whether Al Haramain
8 was set up as an beneficiary by Al Rajhi Bank
9 at any point?

10 A. I don't have any knowledge of
11 that.

12 Q. And what about the IIRO?

13 A. I don't have any knowledge of
14 that either, Mr. Carter.

15 Q. And to the extent the
16 foundation wrote a check to Al Haramain and
17 sent it to Al Haramain's office in Indonesia
18 where it was deposited in a local bank, would
19 that have been identified through the search
20 protocols carried out by the bank?

21 MR. CURRAN: Objection as to
22 form.

23 You may answer.

24 THE WITNESS: I'm not sure that
25 it would. I don't know the an -- I

1 don't know why that it would have
2 been.

3 QUESTIONS BY MR. CARTER:

4 Q. And just with regard to these
5 transfers, did you, as part of your
6 preparations, manage to determine what
7 transfers were made from the foundation in
8 favor of Al Haramain?

9 A. Just give me a moment, please.

10 The bank's produced
11 transactions of the possible financial
12 contributions from the charity to Al
13 Haramain, and the bank has found no
14 transactions from the accounts of the
15 foundation to IIRO, and the bank's found no
16 transactions from accounts held at the bank
17 by the foundation or Mr. Al Rajhi to
18 Muwaffaq.

19 Q. And did the bank also identify
20 a transfer from the foundation to Aqeel
21 Al-Aqil?

22 A. I am not aware of that.

23 Q. And turning back to the
24 exhibit, again, just trying to understand
25 this -- what these documents mean, do you

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1 understand the grand total columns provided
2 to reflect the total value of the
3 transactions being carried out through the
4 account in the specified time period?

5 A. I can see it says "grand
6 total."

7 Q. But you can't tell other than
8 that?

9 A. Well, as I said before, I can't
10 with certainty tell you the details in the
11 columns given the information they redacted
12 and we have.

13 (Al Rajhi Bank 30(b)(6) Exhibit
14 ARB 21 marked for identification.)

15 QUESTIONS BY MR. CARTER:

16 Q. And if we can mark in -- as the
17 next exhibit the document at Tab 7.

18 MR. CURRAN: I'll alert the
19 witness that it appears to be a
20 multipage document. He might want to
21 scroll on his computer, I think.

22 While he's doing that, I'm
23 going to make a broad objection to the
24 plaintiffs' failure to provide these
25 granular-type documents ahead of time,

1 and the witness could have done
2 targeted prep on these documents.

3 And instead, we got an
4 extensive list of questions, general
5 questions, such that the witness isn't
6 prepared to answer questions on with
7 granularity.

8 MR. CARTER: Just in response
9 to that, Chris, the collection of
10 transaction information and two
11 summary pages, one of which I've just
12 marked, are the only documents the
13 bank produced to us concerning
14 transfers from the foundation accounts
15 to the Da`wah organizations.

16 So these are the specific
17 documents the bank provided pertaining
18 to the particular category that's
19 identified in the notice.

20 MR. CURRAN: Yeah, so it sounds
21 like it would -- sounds like it would
22 have been easy to attach such
23 documents to the notice, and instead
24 we got 45 broad-ranging topics with
25 scores of subtopics. So --

1 MR. CARTER: Yeah, it would be
2 hard for me to identify the number of
3 times we had communications with your
4 colleagues about this issue and these
5 particular documents being the ones
6 that related to this topic, but we'll
7 continue.

8 QUESTIONS BY MR. CARTER:

9 Q. Mr. Galloway, are you -- am I
10 understanding from your counsel's objection
11 that you're not familiar as a result of your
12 preparations with this document that was
13 produced at 39960?

14 MR. CURRAN: No, don't try to
15 conclude it from my objection. Ask
16 him a fresh question.

17 QUESTIONS BY MR. CARTER:

18 Q. Mr. Galloway, are you familiar
19 with the document that we just marked as an
20 exhibit that was produced at ARB 39960?

21 A. I have seen it in the thousands
22 I reviewed, but I'm not familiar with it.

23 Q. And we understand that this is
24 a run of transactions from the foundation
25 account in favor of either Al Haramain or in

1 one instance Ageel Al-Aqil.

2 Do you know if that's correct
3 or not?

4 A. I do not. I also note the
5 language is in Arabic, and as you know, I'm
6 not an Arabic speaker, so I can't comment.

7 Q. And the account number ends in
8 6006, correct?

9 A. It appears to.

10 Q. Okay. And I think we agree
11 that that's the ending digits of the
12 foundation account, correct?

13 A. I don't have the foundation
14 account in front of me to say that.

15 Q. Okay. As part of your
16 preparations, were you able to ascertain the
17 total value of the funds transferred from the
18 foundation's accounts at Al Rajhi in favor of
19 Al Haramain during the relevant period?

20 A. No, I did not.

21 Q. But the transaction information
22 reflects what it reflects, correct?

23 A. Would you repeat that, please?

24 Q. In other words, you understand
25 that the transaction information provided by

1 Al Rajhi Bank is an accurate reflection of
2 what happened?

3 A. I understand that to be true,
4 yes.

5 Q. In preparation for your
6 deposition today as the bank's designee, did
7 you make inquiry concerning the roles of
8 Abdul Rahman al Rajhi, Saleh bin Sulaiman al
9 Habdan, and Abdullah bin Ibrahim al Misfer at
10 the charitable foundation?

11 A. Say --

12 MR. CURRAN: Same objection as
13 before as to Abdul Rahman al Rajhi,
14 but you may proceed.

15 THE WITNESS: Would you direct
16 me to the question that this relates
17 to?

18 QUESTIONS BY MR. CARTER:

19 Q. It is 12(b).

20 A. B for Broadway?

21 Q. Yep.

22 MR. CURRAN: Yeah.

23 THE WITNESS: The bank has no
24 knowledge of the roles and
25 responsibilities of Abdul Rahman al

1 Rajhi, Saleh bin Sulaiman al Habdan or
2 Abdullah bin Ibrahim al Misfer, or of
3 any foundation personnel. None of
4 these individuals had any role at the
5 bank, and the foundation has never
6 been a parent, subsidiary, or
7 affiliate of the bank.

8 QUESTIONS BY MR. CARTER:

9 Q. Do you know whether the
10 foundation ever had offices within the same
11 building as the bank?

12 A. I do not know the answer to
13 that.

14 Q. And do you know whether the
15 bank is in possession of the foundation --
16 any of the foundation's operating files?

17 A. Well, as I said, the bank has
18 no knowledge of the roles and
19 responsibilities of these people, and the
20 foundation has never been a parent,
21 subsidiary or affiliate of the bank, so I
22 would be very surprised if they held records.

23 Q. Over the course of preparing,
24 did you happen to see any correspondence
25 produced by Al Rajhi Bank that issued from

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1 the estate of Sulaiman al Rajhi?

2 A. No, I did not.

3 Q. I believe you indicated
4 previously that you spoke to Abdullah al
5 Rajhi concerning Abdul Rahman Abdul al Rajhi,
6 correct?

7 A. That's correct. Or gentlemen
8 with similar names, of which there are at
9 least three senior members of the al Rajhi
10 family.

11 Q. And did he tell you that
12 someone with that similar name had a role at
13 some point at the foundation?

14 A. He believed he might have
15 worked at the foundation, but he had no
16 detail about it and had no knowledge of the
17 activities or the term of employment or
18 whether indeed he was employed.

19 Q. Okay. And who -- do you know
20 who founded the foundation?

21 A. No, I do not know that.

22 Q. And do you know whether
23 Abdullah al Rajhi had any involvement in the
24 foundation's activities?

25 A. He had no involvement. He said

1 as much. This was all -- the foundation was
2 separate to anything he was involved in.

3 Q. So as you understand it,
4 Abdullah al Rajhi did not engage in any
5 activities with respect to -- with respect to
6 the foundation's functions?

7 A. That's my understanding --

8 MR. CURRAN: Objection.

9 Overbroad.

10 You may answer.

11 THE WITNESS: That's my
12 understanding.

13 QUESTIONS BY MR. CARTER:

14 Q. And did you discuss Abdul
15 Rahman Abdullah al Rajhi with any other Al
16 Rajhi Bank bank employees?

17 A. Only the HR department to
18 ascertain that he had no employment with the
19 bank at any stage.

20 Q. Do you know where the
21 foundation maintained its accounts at Al
22 Rajhi? In other words, what branch?

23 A. No, I do not.

24 Q. Do you know whether Al Rajhi
25 had a branch that was known as the Al Rabwah,

1 R-a-b-w-a-h, branch during the relevant time
2 period '98 to 2002?

3 A. No, Mr. Carter, I do not.

4 Q. Do you know whether it has one
5 now called the Al Rabwah branch?

6 A. No, Mr. Carter. No, I did not
7 prepare for that level of detail, sir.

8 MR. CURRAN: Yeah, objection.

9 Outside the scope.

10 QUESTIONS BY MR. CARTER:

11 Q. And were you able to ascertain
12 any information concerning any roles Saleh
13 bin Sulaiman al Habdan with the foundation?

14 A. No. The bank's got -- as I
15 said before, the bank has no knowledge of the
16 roles or responsibilities of Abdul Rahman al
17 Rajhi, Saleh bin Sulaiman al Habdan or
18 Abdullah bin Ibrahim al Misfer or any other
19 foundation personnel. I think I answered
20 that earlier.

21 Q. And did you request that the
22 bank conduct any searches of its core banking
23 system to determine whether any of those
24 three individuals either held accounts at Al
25 Rajhi Bank or were signatories on the

1 foundation account?

2 A. I don't believe so. I was not
3 asked to. I've not seen anything directly
4 relating to that.

5 (Al Rajhi Bank 30(b)(6) Exhibit
6 ARB 22 marked for identification.)

7 QUESTIONS BY MR. CARTER:

8 Q. Can we mark as the next exhibit
9 the documents at Tab 9?

10 Mr. Galloway, did you have
11 occasion to look at the set of documents we
12 just marked as an exhibit in preparation for
13 your deposition?

14 A. Yeah, I'm sorry for the delay.
15 We're still downloading on this side. It
16 seems terribly slow. Apologies.

17 It's still loading, I'm afraid.

18 MR. CURRAN: So, Mr. Carter,
19 while we're waiting for this, can you
20 tell me what area of inquiry in your
21 notice this relates to?

22 MR. CARTER: Well, it would
23 relate, first of all, to the use of
24 e-mail. And --

25 THE WITNESS: Can you go to

1 Section 1, please?

2 MR. CARTER: Which is 37. And
3 it would also relate to foundation
4 transfers to Al Haramain.

5 MR. CURRAN: We object to this
6 apparent line of inquiry as unrelated
7 to the foundation. So I'll make
8 objections to specific questions as
9 they arise.

10 THE WITNESS: Apologies. It's
11 still loading here. I'm not sure why
12 it's so slow, but thank you for your
13 patience.

14 Now we have it now. If you
15 just give me a moment. I'm sorry.
16 Still coming.

17 MR. CURRAN: Mr. Carter, if you
18 have any questions dealing
19 specifically with the page on the
20 screen, feel free to go ahead while
21 we're waiting for the full document to
22 load.

23 MR. CARTER: Sure.

24 QUESTIONS BY MR. CARTER:

25 Q. Hang on one second.

1 Mr. Galloway, this is a
2 document that -- or a collection of documents
3 that plaintiffs have filed as part of a
4 motion to compel further discovery relating
5 to the foundation. And among other things,
6 we've asserted that these documents relate to
7 foundation transfers and activities.

8 Did you, in your preparation
9 for today's deposition, have occasion to
10 speak with Abdullah Sulaiman al Rajhi about
11 this communication and the associated
12 documents to determine if they related to the
13 foundation's activities?

14 A. I did.

15 Q. And what did he tell you?

16 A. Well, the first is that it was
17 signed by the secretary, not himself, and
18 that -- the fact that it wasn't containing
19 anything related to the charity. It was only
20 just -- it was clearly that he was separating
21 anything he did from the charity. All the
22 e-mail was trying to do was alert to the
23 separate individual sending a fax document.

24 And the secretary for him had
25 access to e-mail when Mr. Sulaiman al Rajhi,

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1 being an elderly gentleman, never used
2 e-mail.

3 So I think all it's simply
4 doing is just using that as a way of telling
5 somebody that a fax is arriving, but the
6 parties were all completely unrelated.

7 Q. Okay. So based on the
8 discussion you had, do you understand that
9 the first page is an e-mail just alerting
10 that a fax is being isn't by Sheikh Sulaiman?

11 A. That's correct. That's my
12 understanding. Or his office.

13 Q. And --

14 A. It'll be a fax signed by
15 Sulaiman al Rajhi, I believe, and the
16 signature there needed to be on the fax.

17 Q. And when you refer to Sheikh
18 Sulaiman, you're referring to Sheikh Sulaiman
19 al Rajhi?

20 A. Yeah, Mr. Sulaiman al Rajhi,
21 that's correct.

22 Q. And then turning to the next
23 page of this document?

24 A. I can't -- I can't do that,
25 Mr. Carter, because the document still hasn't

1 loaded here. I can -- I can see what you
2 have here.

3 MR. CURRAN: I now raise my
4 question -- my objection again because
5 I believe these documents have nothing
6 to do with the foundation, and
7 instead, they deal with different
8 charitable vehicles.

9 But -- so I have an objection
10 to the whole line of questioning, but
11 please proceed, Mr. Carter, if you
12 wish.

13 THE WITNESS: I would also --
14 this is not a document that I had any
15 discussion with Mr. Abdullah al Rajhi
16 about.

17 QUESTIONS BY MR. CARTER:

18 Q. Okay. So you didn't have
19 occasion to ask him whether or not this
20 document concerned activities of the
21 foundation?

22 A. No, I did not.

23 Q. And then the next two -- three
24 pages of this -- I don't know if they'll come
25 up; start with this one -- refers to a series

1 of foreign and domestic aid for the year
2 1999.

3 Did you have occasion to ask
4 Abdullah al Rajhi whether or not the
5 transactions listed on this were transactions
6 by the foundation in favor of the
7 beneficiaries listed?

8 A. I've neither seen this document
9 before or had any discussion with anyone at
10 all about this.

11 Q. And on the page at 15045, there
12 is a particular transaction. There's a 75
13 number in the box to the left, and then it
14 refers to a transfer by telex, and the
15 beneficiary is listed as Al Haramain
16 Foundation in Indonesia.

17 Do you see that?

18 A. Yeah. I don't recognize an Al
19 Rajhi identifier on the bottom of the page
20 you're showing me, so I'm not sure I can
21 comment on this.

22 MR. CURRAN: Objection. Beyond
23 the scope.

24 QUESTIONS BY MR. CARTER:

25 Q. Okay. So, Mr. Galloway,

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1 plaintiffs have expressed their view in
2 filings with the Court that this is a
3 transfer by the foundation in favor of Al
4 Haramain Foundation in Indonesia.

5 Did you have occasion to
6 conduct inquiry to determine whether that is
7 accurate?

8 A. No.

9 MR. CURRAN: Objection.
10 Objection. Beyond the scope of this
11 30(b)(6) deposition. This witness is
12 not authorized to address this
13 document on behalf of the bank.

14 MR. CARTER: Okay. Chris, I'm
15 asking whether or not he conducted an
16 inquiry to determine whether or not
17 there was a transfer from an Al Rajhi
18 Bank account held by the foundation
19 that corresponds to this entry.

20 THE WITNESS: Mr. Carter, as I
21 said before, I've never seen this
22 document before, and I haven't made an
23 inquiry of the nature that you're
24 describing.

25

1 QUESTIONS BY MR. CARTER:

2 Q. Based on your inquiry, do you
3 know whether any individuals employed by the
4 bank during the period 1998 through 2002 also
5 had roles with regard to the foundation?

6 A. I do not know that. I --
7 there -- as I said before, there's no
8 relationship between the bank and the
9 foundation, sir.

10 It's not something that I've
11 searched for the personnel. We don't have
12 any relationship. It's not an entity of the
13 bank.

14 I believe it's out of the
15 scope. It wasn't something that was included
16 in the inquiries.

17 Q. Well, the inquiry included
18 questions about the bank's role in any
19 oversight, supervision or management,
20 including Sulaiman al Rajhi's oversight of
21 the foundation.

22 Do you happen to know whether
23 Sulaiman al Rajhi had a role with the
24 foundation during the 1998 through 2002 time
25 period?

1 A. With the Sulaiman al Rajhi
2 foundation, you're referring to?

3 Q. Correct.

4 A. I don't know the nature of his
5 role, sir. I don't know -- I don't know any
6 of the dealings of the charitable foundation.
7 I don't understand how it works. I couldn't
8 make any comment.

9 Q. I'm asking because Topic 12A on
10 the notice concerns "Sulaiman al Rajhi's
11 oversight, supervision, management or control
12 over the foundation's operations and
13 activities."

14 A. If you'll bear with me, just
15 see if I have any notes. But I don't.

16 Yeah, the bank understands that
17 Mr. Sulaiman al Rajhi had oversight and
18 control of the foundation, that is true.

19 Q. And during that 1998
20 through 2002 time period, did Sulaiman al
21 Rajhi also have a role at the bank?

22 A. I'd have to refer to the date
23 in which he left the bank. One moment.

24 We have a question on this one.
25 If you can direct me, I'll be able to go

1 faster.

2 Q. My understanding is that he
3 formally left the bank in 2007, but I don't
4 want to --

5 A. No, you have a question. If
6 you could direct me to that spot, I can refer
7 to my note.

8 Q. Sure. It is Topic 15.

9 A. Yeah, I can confirm he retired
10 from the bank in 2014.

11 Q. Yes. Did you say that Sulaiman
12 al Rajhi retired from the bank in 2014?

13 A. That's what I've been told.

14 Q. And immediately prior to his
15 retirement, do you know what position he
16 held?

17 A. I believe he was the chairman
18 at the time, but he was at an advanced age,
19 sir. He was 86 years old, and I believe he
20 had relatively little involvement in the bank
21 at that time.

22 Q. From that answer, do I
23 understand that he was, as you understand it,
24 employed with the bank in the '98
25 through 2002 time period?

1 A. Well, he was the chairman, sir.
2 I don't believe that's an employee of the
3 bank.

4 Q. You believe he was the chairman
5 during that period?

6 A. I believe so.

7 Q. Okay. I want to turn our
8 attention to Topic 13.

9 And, Mr. Galloway, are you
10 prepared to discuss the topics under Item
11 Number 13?

12 A. Yes.

13 MR. CURRAN: I object to this
14 line of questioning as beyond the
15 proper scope of the limited
16 jurisdiction of discovery.

17 The witness may answer.

18 THE WITNESS: I have done some
19 preparation on Topic 13.

20 QUESTIONS BY MR. CARTER:

21 Q. And are you aware as part of
22 that preparation that plaintiffs have issued
23 a subpoena seeking records pertaining to a
24 particular account at Chase Manhattan Bank,
25 which is presently now JPMorgan Chase?

1 A. If you're referring to the
2 correspondent banking account that Al Rajhi
3 Bank has?

4 Q. Correct.

5 A. I am not aware of the legal
6 proceedings, but I'm aware that the bank had
7 a correspondent banking relationship with
8 Chase Manhattan Bank in the relevant period.

9 Q. And in connection with that
10 correspondent banking relationship, did Al
11 Rajhi maintain a single account with Chase
12 Manhattan or were there multiple
13 correspondent accounts?

14 A. I believe there was only one.

15 Q. And what was the purpose of
16 that correspondent bank account?

17 A. There was a --

18 MR. CURRAN: Same objection.

19 You may answer.

20 THE WITNESS: It was a sole use
21 account, only for correspondent
22 banking business use.

23 QUESTIONS BY MR. CARTER:

24 Q. And was use of that restricted
25 to any specific Al Rajhi Bank account

1 holders?

2 A. That's not how the account
3 works, sir. It's a correspondent banking
4 relationship. So swift messages get sent
5 from one bank to another, and they can only
6 be sent and received if their swift card is
7 matching. So it's not like an individual can
8 sign off movements or transactions on the
9 account.

10 Q. Do you know whether or not that
11 correspondent account was used for Al Rajhi
12 account holders generally, or was it, in
13 fact, used solely for particular account
14 holders?

15 MR. CURRAN: Objection. Beyond
16 the scope.

17 You may answer.

18 THE WITNESS: Yeah, I haven't
19 prepared for that, but it was used for
20 correspondent banking for Al Rajhi
21 customers who qualified.

22 QUESTIONS BY MR. CARTER:

23 Q. Was the foundation one of the
24 customers that qualified?

25 MR. CURRAN: Objection. Beyond

1 the scope.

2 You may answer.

3 THE WITNESS: I have no direct
4 knowledge of whether they did or they
5 did not.

6 QUESTIONS BY MR. CARTER:

7 Q. And do you happen to know
8 whether Sulaiman al Rajhi made transfers
9 through that correspondent bank account into
10 the United States?

11 MR. CURRAN: Same objection.

12 You may answer.

13 THE WITNESS: I do not know
14 that.

15 QUESTIONS BY MR. CARTER:

16 Q. And the same question, do you
17 know whether Abdul Rahman Abdullah al Rajhi
18 used that account to transfer funds into the
19 United States?

20 MR. CURRAN: Objection. Beyond
21 the scope of limited jurisdictional
22 discovery.

23 You may answer.

24 THE WITNESS: Yeah, I do not
25 know the answer to that question.

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1 (Al Rajhi Bank 30(b)(6) Exhibit
2 ARB 23 marked for identification.)

3 QUESTIONS BY MR. CARTER:

4 Q. Can we mark as the next exhibit
5 the document at Tab 22?

6 Is that loaded on your end,
7 Mr. Galloway?

8 A. No, not yet, Mr. Carter.

9 MR. CURRAN: We see -- we see a
10 page on the screen, though.

11 MR. CARTER: That's the page.
12 We can go based on the screen.

13 MR. CURRAN: Yeah, I just don't
14 know if it's a one-page document or
15 multiple page.

16 MR. CARTER: It's a one-page.

17 THE WITNESS: I don't see an Al
18 Rajhi reference on the page that
19 you're showing me.

20 QUESTIONS BY MR. CARTER:

21 Q. Mr. Galloway, is the -- is the
22 document on the screen in front of -- on the
23 screen in front of you?

24 A. It's on the screen that I'm
25 looking at you on, but it's not loaded on the

1 laptop.

2 And as I mentioned, I don't see
3 a reference to the Al Rajhi coding on the
4 bottom of that document.

5 MR. CURRAN: Oh, to the Bates
6 number; is that what you mean?

7 THE WITNESS: Yeah, yeah.

8 QUESTIONS BY MR. CARTER:

9 Q. Oh, okay. It was not. It was
10 received from another party in discovery.

11 Mr. Galloway, are you able to
12 tell me whether or not this is a transaction
13 that was carried out through Al Rajhi Bank's
14 correspondent account at Chase Manhattan?

15 MR. CURRAN: Objection. Beyond
16 the scope of limited jurisdictional
17 discovery.

18 You may answer.

19 THE WITNESS: It's not a
20 document that I believe was provided
21 from Al Rajhi Bank, and I've never
22 seen it before, and I have no basis to
23 comment.

24 QUESTIONS BY MR. CARTER:

25 Q. Okay. Were you able to

1 ascertain the account number of the
2 correspondent account at Chase Manhattan
3 Bank?

4 MR. CURRAN: Same objection.
5 You may answer.

6 THE WITNESS: Yeah, I don't
7 have that detail here.

8 QUESTIONS BY MR. CARTER:

9 Q. Okay. And so you're not able
10 to determine whether or not the account
11 number on this document matches the account
12 number for Al Rajhi's correspondent account
13 at Chase Manhattan?

14 MR. CURRAN: Same objection.
15 You may answer.

16 THE WITNESS: No, it's a level
17 of detail that I did not prepare for,
18 given the broad scope and the number
19 of questions that I've been asked.

20 QUESTIONS BY MR. CARTER:

21 Q. And the beneficiary listed on
22 this document is an individual named Khaled
23 bin Ibrahim Al-Swailem.

24 Do you see that?

25 MR. CURRAN: Objection. Beyond

1 the scope.

2 You may answer.

3 THE WITNESS: As I said, I've
4 not seen this document before, but I
5 can read a name on there that
6 corresponds to what you've just said.

7 QUESTIONS BY MR. CARTER:

8 Q. And Topic 2(b) concerns
9 financial contributions provided by Sulaiman
10 al Rajhi, Abdul Rahman, we now know Abdullah
11 al Rajhi and others, to Khaled al-Swailem.

12 Do you see that topic?

13 A. I see 2(b) and the topic, yeah.

14 Q. Okay. And as part of your
15 preparations, were you able to determine
16 whether or not the bank has information
17 concerning financial contributions made from
18 Al Rajhi accounts for either the foundation
19 Sulaiman or Abdul Rahman al Rajhi in favor of
20 Khaled bin Ibrahim Al-Swailem?

21 MR. CURRAN: Objection. Beyond
22 the scope.

23 You may answer.

24 THE WITNESS: The bank's not
25 found any financial contributions from

1 the bank to either Khaled Al-Swailem
2 or the Da`wah office in America, which
3 is in your document also known as
4 Propagation Office in America, which
5 you claim is operating out of the
6 Saudi embassy.

7 And with respect to the person
8 you referred to as Abdul Rahman al
9 Rajhi, person has never had any role
10 with the bank.

11 QUESTIONS BY MR. CARTER:

12 Q. Did the bank determine whether
13 or not there was any transfers from its
14 account -- accounts during the relevant time
15 period in favor of Khaled bin Ibrahim
16 Al-Swailem?

17 And when I say accounts, I mean
18 accounts for the foundation, Sulaiman al
19 Rajhi or Abdullah Rahman al Rajhi.

20 MR. CURRAN: Objection. Beyond
21 the scope. Especially as to the
22 foundation.

23 You may answer.

24 THE WITNESS: No. To the
25 extent to which you're asking about

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1 the bank, the bank has not found any
2 financial contribution from the bank
3 to Khaled al-Swailem.

4 QUESTIONS BY MR. CARTER:

5 Q. Yeah, no, I'm asking about the
6 other individuals that are listed in the
7 topic. The topic concerns not only the
8 bank's possible contributions but also any by
9 Sulaiman al Rajhi, Abdullah Rahman al Rajhi.

10 Are you -- were you able to
11 ascertain whether any such transactions
12 occurred?

13 A. I have no details --

14 MR. CURRAN: Same objections.

15 THE WITNESS: Yeah, I have no
16 detail on those questions, Mr. Carter.

17 QUESTIONS BY MR. CARTER:

18 Q. And are -- the document that
19 we've marked as an exhibit includes an Al
20 Rajhi Banking & Investment Corp heading.

21 Do you see that?

22 MR. CURRAN: Same objection.

23 You may answer.

24 THE WITNESS: Yeah, as I've
25 said, I've not seen this document

1 before, but I can see those words on
2 the screen.

3 QUESTIONS BY MR. CARTER:

4 Q. Are you familiar with a
5 document of this nature that was used by Al
6 Rajhi Banking & Investment for purposes of
7 transactions through the correspondent
8 account at Chase Manhattan?

9 MR. CURRAN: Same objection.

10 You may answer.

11 THE WITNESS: I'm not familiar
12 with that, no, sir.

13 QUESTIONS BY MR. CARTER:

14 Q. So am I correct that sitting
15 here today, you're not sure one way or
16 another whether or not there were transfers
17 from accounts held in the Sulaiman al Rajhi
18 or Abdullah al Rajhi in favor of Khaled
19 al-Swailem during the relevant time period?

20 MR. CURRAN: Same objection.

21 You may answer.

22 THE WITNESS: That's correct,
23 I'm not aware.

24 QUESTIONS BY MR. CARTER:

25 Q. And were you able to identify

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1 the account number for any Chase Manhattan
2 Bank correspondent accounts that were used by
3 Sulaiman al Rajhi or Abdul Rahman al Rajhi to
4 send transfers to beneficiaries in the United
5 States?

6 MR. CURRAN: Same objection.

7 You may answer it.

8 THE WITNESS: I'm sorry,
9 Mr. Carter. Just give me a moment,
10 please.

11 MR. CURRAN: Back to 13.

12 THE WITNESS: 13.

13 Yes. Bank searches of
14 Mr. Sulaiman al Rajhi's charity
15 account revealed transactions only to
16 Al Haramain in KSA.

17 And the bank's unaware of
18 whether Mr. -- either Mr. Abdul
19 Rahman al Rajhi or Mr. Sulaiman al
20 Rajhi had any accounts in a personal
21 capacity with Chase Manhattan.

22 QUESTIONS BY MR. CARTER:

23 Q. Okay. And did the -- does the
24 bank have the capacity through its systems to
25 determine whether or not there were transfers

1 made on behalf of Sulaiman al Rajhi or Abdul
2 Rahman al Rajhi using the correspondent
3 account at Chase during the relevant time
4 period?

5 MR. CURRAN: Same objection.

6 You may answer.

7 THE WITNESS: I don't have
8 direct knowledge whether that search
9 is possible.

10 QUESTIONS BY MR. CARTER:

11 Q. Do you know whether the
12 correspondent account at Chase Manhattan Bank
13 was operational throughout the 1998
14 through 2004 time period?

15 MR. CURRAN: Same objection.

16 You may answer.

17 THE WITNESS: Yeah, I believe
18 it was.

19 QUESTIONS BY MR. CARTER:

20 Q. Do you know whether that same
21 account was still open in 2015?

22 MR. CURRAN: Same objection.

23 You may answer it.

24 THE WITNESS: If you give me a
25 moment.

1 MR. CURRAN: And beyond the
2 time period as well.

3 THE WITNESS: The bank had a
4 correspondent banking relationship
5 with Chase between 1994 and 2004. The
6 periods either side of that, I can't
7 comment on.

8 QUESTIONS BY MR. CARTER:

9 Q. Turning to Topic Number 14, and
10 focusing on the foundation initially.

11 Did you make inquiry to
12 determine whether or not the foundation's
13 accounts at Al Rajhi Bank were used to make
14 transfers to any of the entities listed in A
15 through J of inquiry number 14?

16 MR. CURRAN: Objection. Beyond
17 the scope of limited jurisdictional
18 discovery.

19 You may answer.

20 THE WITNESS: The bank made
21 searches for any contributions from
22 the bank, not from the foundation, to
23 the named entities on your list.

24 QUESTIONS BY MR. CARTER:

25 Q. Okay. Why did the bank conduct

1 searches for contributions by the bank but
2 not for the foundation?

3 MR. CURRAN: Same objection.

4 You may answer.

5 THE WITNESS: I don't have the
6 basis to give you an answer to that.

7 QUESTIONS BY MR. CARTER:

8 Q. Based on what you told me, it
9 was feasible then for the bank to conduct
10 searches to determine whether the bank made
11 any contributions to those listed entities?

12 A. The bank --

13 MR. CURRAN: Same objection.

14 You may answer.

15 THE WITNESS: The bank has done
16 searches and found no entries for
17 those beneficiaries.

18 QUESTIONS BY MR. CARTER:

19 Q. And from that, do I understand
20 that it would be feasible for the bank to
21 conduct similar searches to determine if the
22 foundation made transfers from its Al Rajhi
23 Bank accounts to those entities?

24 MR. CURRAN: Same objection.

25 THE WITNESS: Yeah, I have no

1 detailed knowledge, but the bank has
2 done the searches as I mentioned.

3 QUESTIONS BY MR. CARTER:

4 Q. Well, the bank has done the
5 searches to determine whether the bank itself
6 sent funds to those entities.

7 What I'm asking is, would it be
8 feasible for the bank to conduct the same
9 searches for the foundation?

10 A. I can't --

11 MR. CURRAN: Same objection.

12 You may answer.

13 THE WITNESS: I can't
14 definitively answer your question, but
15 I can tell you the bank has done
16 searches from the bank's accounts and
17 found no entries.

18 QUESTIONS BY MR. CARTER:

19 Q. Okay. I want to be clear about
20 this.

21 Did the bank conduct searches
22 of the foundation's accounts at Al Rajhi Bank
23 to determine if there were transfers to any
24 of these entities?

25 MR. CURRAN: Same objection.

1 You may answer.

2 THE WITNESS: I don't believe
3 they did. I have no -- if they did, I
4 have no knowledge of it.

5 QUESTIONS BY MR. CARTER:

6 Q. Okay. That's one of the
7 specific topics listed in this inquiry.

8 Do you know why the bank did
9 not conduct those searches but did do them
10 for the bank itself?

11 MR. CURRAN: Same objection.

12 You may answer.

13 THE WITNESS: No, I do not.

14 QUESTIONS BY MR. CARTER:

15 Q. And the same question. Do you
16 know whether the bank conducted searches of
17 any accounts for Abdul Rahman Abdullah al
18 Rajhi to determine if transfers were made
19 from those accounts to the entities listed in
20 14(a) through J?

21 MR. CURRAN: Same objection.

22 You may answer.

23 THE WITNESS: No, I do not. I
24 believe the searches were restricted
25 to the bank's accounts.

1 QUESTIONS BY MR. CARTER:

2 Q. And when you say "the bank's
3 accounts," you're talking about the bank's
4 own accounts?

5 A. Correct.

6 Q. And so I take it from that
7 answer that searches were not conducted of
8 accounts held in the name of Sulaiman al
9 Rajhi to determine whether there were
10 transfers to the entities identified in 14(a)
11 through J?

12 MR. CURRAN: Same objection.

13 You may answer.

14 THE WITNESS: No, I have no
15 knowledge of that.

16 (Al Rajhi Bank 30(b)(6) Exhibit
17 ARB 24 marked for identification.)

18 QUESTIONS BY MR. CARTER:

19 Q. Can we mark as the next exhibit
20 the documents at Tab 13?

21 Mr. Galloway, is it still
22 loading on your end?

23 A. Yeah, I'm afraid so. Seems to
24 be almost there. Thanks for your patience.

25 I just got the banking document

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1 you were trying to send. It just came
2 through. I'm not quite sure what's going on.

3 Excuse me for a moment.

4 Sorry, Mr. Carter, it's still
5 work in progress at this end. Apologies.

6 MR. CURRAN: Mr. Carter, it
7 looks like this will relate to
8 category 1(b)?

9 MR. CARTER: I think it would
10 probably be 1(b), C, D.

11 QUESTIONS BY MR. CARTER:

12 Q. Do we have it yet?

13 A. No, I'm sorry, it's still
14 loading.

15 MR. CURRAN: We have the first
16 page on the screen, if that helps.

17 MR. CARTER: Can we give
18 this -- can we take a maybe three or
19 four-minute break while we try to get
20 this to load? I could use a quick
21 break.

22 THE WITNESS: Okay. Sure.

23 VIDEOGRAPHER: Off record. The
24 time is 9:46.

25 (Off the record at 9:46 p.m.)

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1 VIDEOPHOTOGRAPHER: Back on record.

2 Time is 10:02.

3 QUESTIONS BY MR. CARTER:

4 Q. Mr. Galloway, before we went
5 off the record for a break, we had marked as
6 an exhibit a grouping of correspondence Al
7 Rajhi Bank produced at 39593 through 39604.

8 And I --

9 A. If you could please refer me to
10 the area in the questioning, that would be
11 helpful.

12 Q. Sure.

13 The area in the questioning is
14 under heading 1, and I think it would pertain
15 to topics C and D.

16 A. Yeah, okay. Thank you very
17 much.

18 Q. Did you have an opportunity to
19 review these communications in preparation
20 for appearing today?

21 A. Yes, I have briefly. If you
22 give me a moment, I'll reread it.

23 Yeah, thank you.

24 Q. And, Mr. Galloway, the header
25 on these documents indicate that they issue

1 from the estate office of Sulaiman Abdul Aziz
2 Al Rajhi.

3 Do you see that?

4 A. I see that.

5 Q. Is the estate office of
6 Sulaiman Abdul Aziz Al Rajhi part of Al Rajhi
7 Bank?

8 A. I don't believe so. I've never
9 heard that term before.

10 Q. Okay. So based on that, is it
11 your understanding that these are not
12 business records of Al Rajhi Bank?

13 A. I don't believe they are, no,
14 but I --

15 Q. They --

16 A. They're not on Al Rajhi
17 letterhead, and they're on a letterhead
18 that's unknown to me.

19 Q. And given that, it would be
20 your understanding that these were not
21 created by Al Rajhi Bank in the ordinary
22 course of its business?

23 MR. CURRAN: Objection as to
24 form.

25 THE WITNESS: Yeah, I can see

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1 they've got an Al Rajhi reference
2 number on the bottom of them. I don't
3 know the provenance of the documents.

4 QUESTIONS BY MR. CARTER:

5 Q. And do you have any
6 understanding how documents relating to the
7 estate office of Sulaiman Abdul Aziz Al Rajhi
8 came to be in the possession of Al Rajhi
9 Bank?

10 A. No, I don't have direct
11 knowledge of that.

12 Q. Do you know whether Sulaiman al
13 Rajhi was conducting activities of his estate
14 office from within his office at the bank?

15 A. I don't know the answer to
16 that.

17 Q. And do you know whether the
18 estate office of Sulaiman Abdul Aziz Al Rajhi
19 has any relationship to the Sulaiman Abdul
20 Aziz Al Rajhi foundation?

21 A. I don't know the answer to that
22 either.

23 Q. But it's your understanding
24 that these, as we've discussed earlier, would
25 be -- would not be record -- business records

1 of Al Rajhi Bank, correct?

2 MR. CURRAN: Objection as to
3 form.

4 You may answer.

5 THE WITNESS: I would be
6 speculating, so -- they don't have any
7 Al Rajhi logos on them. I don't know
8 the provenance of them.

9 QUESTIONS BY MR. CARTER:

10 Q. And again, you're not aware of
11 any estate office of Sulaiman Abdul Aziz Al
12 Rajhi that is a formal part of Al Rajhi Bank,
13 correct?

14 MR. CURRAN: Objection. Beyond
15 the scope of the 30(b)(6) notice.

16 You may answer.

17 THE WITNESS: Yeah, I didn't
18 prepare to answer that question, sir.

19 (Al Rajhi Bank 30(b)(6) Exhibit
20 ARB 25 marked for identification.)

21 QUESTIONS BY MR. CARTER:

22 Q. Okay. Can we mark as the next
23 exhibit the FBI document at Tab 60?

24 And for your reference,
25 Mr. Galloway, this concerns Topic 35.

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1 A. Thank you.

2 Q. And, Mr. Galloway, did you
3 undertake efforts to prepare yourself to
4 testify concerning the topics listed in Item
5 Number 35?

6 A. Yes, I did.

7 Q. Okay. And generally speaking,
8 what did you do to prepare yourself to
9 testify as to the bank's knowledge on those
10 topics?

11 A. I checked HR records in
12 relation to this matter and checked
13 correspondence in HR files and so forth to
14 understand this matter.

15 Q. And when you say you checked
16 those files, did you search for them yourself
17 or do you have the assistance of someone in
18 HR to retrieve these documents?

19 A. Yeah, I had assistance from
20 people in HR to do that.

21 Q. And do you recall who in HR
22 helped you with that effort?

23 A. Yeah. If you give me one
24 moment, I'll give you the names.

25 It would have been the senior

1 director of HR admin Abdullah Al-Subail and
2 the senior director of HR, Dhaher Al-Enazi.

3 Q. And based on the inquiry they
4 assisted you in conducting, were you able to
5 determine whether Towayan Abdallah Al-Towayan
6 was employed by Al Rajhi Bank during the
7 period between 1998 and 2002?

8 A. He was employed. His start
9 date was 26 September '96. His end date was
10 9 August 2002, for the record.

11 Q. And were you able to ascertain
12 what his job titles were during that
13 approximately six-year period?

14 A. Yeah, his final job title was
15 team leader in Sharia control. He started in
16 a more junior role and then had a title for
17 that. But at the time of departure, his
18 title was team leader in Sharia control.

19 Q. What does Sharia control do, if
20 you know?

21 A. Yeah, so Sharia group has two
22 divisions: One is related to product design
23 and process design, and the other is related
24 to -- to the auditing of the compliance with
25 the Sharia products.

1 And Mr. Towayan was in the
2 audit part that was related to the Sharia
3 compliance of the products.

4 Q. And so do I understand that
5 that department had responsibility for
6 ensuring that financial products offered by
7 Al Rajhi Bank are Sharia-compliant?

8 A. Auditing the application of the
9 products. The design was on the other
10 division. So this was an audit function,
11 specific audit function.

12 Q. So it had -- its role was to
13 audit the actual application of the products
14 in use to make sure that the application
15 complied with Islamic law?

16 A. That's my understanding.

17 Q. And based on the HR records you
18 had available to you, do you have any
19 understanding what his qualifications were
20 for that role?

21 A. Yeah, I don't have them in
22 front of me, but he had suitable academic
23 qualifications to work in that area.

24 Q. And do you know what the
25 suitable qualifications for working in that

1 area are?

2 A. From memory, it was a degree,
3 and it was related to Islamic studies. So he
4 had -- he had the appropriate qualification.

5 Q. And do you recall where he got
6 his degree in Islamic studies?

7 A. I don't have that in front of
8 me, sir, no, but it was, I believe, in a
9 Saudi university.

10 Q. And were you able to ascertain
11 whether or not Towayan Abdullah Al-Towayan
12 was a resident in the United States at any
13 point while employed with Al Rajhi Bank?

14 A. He had no reason with the bank
15 to travel to the United States, and the bank
16 has no record of him traveling to the United
17 States.

18 Q. Was he continuously employed by
19 Al Rajhi Bank between 1996 and 2002?

20 A. It's my understanding.

21 Q. And is it your understanding
22 that he was receiving compensation from the
23 bank during that period of time?

24 A. Yeah, he was an employee.

25 Q. And do you know whether or not

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1 he was an employee receiving compensation
2 between April of 2001 and August of 2001?

3 A. I only have his start and end
4 date of his employment record in the '96 to
5 2002 date.

6 Q. But based on the information
7 you have, he was continuously receiving
8 compensation throughout that period?

9 A. That's my understanding.

10 Q. And the FBI document that we've
11 marked as an exhibit indicates that
12 Mr. Al-Towayan was employed by Al Rajhi in
13 the compliance section where he reviews
14 contracts for their compliance with company
15 rules as well as Islamic laws in the 2000,
16 2001 time period.

17 Is that consistent with what's
18 reflected in the employment records?

19 A. It's -- yeah, it's similar to.

20 Q. And the document indicates that
21 Al-Towayan was in the US to study English at
22 the behest of Al Rajhi, and that Al Rajhi was
23 paying for all of his related costs.

24 Were you able to inquire about
25 that?

1 A. I have, and it's -- we have
2 established that that's categorically not the
3 case.

4 Q. I'm sorry, can you repeat your
5 answer?

6 A. I said, I did inquire about
7 that, and we've established that that was
8 categorically not the case. He was not in
9 the US to study English at the behest of or
10 with the support of or with the knowledge of
11 Al Rajhi Bank.

12 Q. And is there any indication
13 that Mr. Towayan was on leave from his
14 employment at the bank during any period in
15 2001?

16 MR. CURRAN: Objection. Vague.
17 You may answer.

18 THE WITNESS: He had accrued
19 annual leave amassed, and he took a
20 period of leave from June 23, 2001,
21 until mid September 2001.

22 QUESTIONS BY MR. CARTER:

23 Q. And what about the period from
24 early April into June of 2001?

25 A. I have no record of that.

1 Q. And would Mr. Towayan have been
2 able to fulfill his job responsibilities at
3 Al Rajhi Bank between April of 2001 and June
4 of 2001 when the records indicate he took
5 leave while in the United States?

6 MR. CURRAN: Objection as to
7 form.

8 You may answer.

9 THE WITNESS: Yeah, I said the
10 dates of the leave were 23 June until
11 mid-September 2001.

12 QUESTIONS BY MR. CARTER:

13 Q. Yeah. And what I'm asking is
14 that the document here indicates that he
15 moved into an apartment in the United States
16 in April of 2001.

17 And what I'm asking is, you
18 know, whether or not it would have been
19 possible -- or does Al Rajhi Bank have any
20 record as to what he was doing from April to
21 June, and was he employed?

22 A. The bank has no record of him
23 being in the United States, and his
24 employment record showed that he was employed
25 by the bank at that time.

1 Q. And if an employee up and left
2 and went to the United States for the better
3 part of three months in this time period of
4 2001, would you expect that there would be
5 some indication in the bank's records about
6 why?

7 MR. CURRAN: Objection as to
8 form.

9 You may answer.

10 THE WITNESS: If an employee
11 doesn't turn up to work for an
12 extended period, there's a process
13 around job abandonment to terminate
14 the employment. That's a standard
15 process, not something specific for an
16 individual.

17 QUESTIONS BY MR. CARTER:

18 Q. And were there any records
19 relating to that process having been
20 implemented with regard to Mr. Al-Towayan
21 with respect to the period of April 2001
22 through June 23rd of 2001?

23 A. No.

24 Q. Were you able to identify
25 anyone at the bank who worked with

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1 Mr. Al-Towayan during this time period and
2 was familiar with his activities in the
3 summer of 2000 -- or in April to September
4 of 2001 time period?

5 A. No. I asked the Sharia group,
6 and nobody remembers him, or nobody was here
7 at the same time.

8 Q. And were you able to identify
9 who his immediate supervisor was during that
10 time period?

11 A. I don't have that information.

12 Q. And was any effort made to try
13 and locate and contact Mr. Al-Towayan to
14 discuss these issues?

15 A. I would be guessing. I haven't
16 got a record of that.

17 Q. And do you happen to know
18 whether or not his employment file indicated
19 last known address and contact information?

20 A. I do not know that. I assume
21 his HR file would have had his address, but I
22 haven't sighted that.

23 Q. And do you know -- is there any
24 indication in the documents you reviewed why
25 he left Al Rajhi Bank in 2002?

1 A. Yeah, I believe once he
2 returned -- once he returned from leave, at
3 some period he did abandon the job, and he
4 was terminated on that basis.

5 Q. And so his leave concluded, as
6 I understand it, sometime in September
7 of 2001?

8 A. That's correct. Sometime
9 mid-September, I understand.

10 Q. And he was terminated at some
11 point in 2002?

12 A. Yeah, that's correct. 9th of
13 August was his last official date.

14 Q. Did he return to the bank and
15 resume his duties for at least some period of
16 time after his leave concluded?

17 A. I believe he did.

18 Q. And do you have any information
19 available concerning when he was determined
20 to have abandoned his job responsibilities?

21 A. I don't have those dates.

22 Q. Do you know whether the bank
23 has conducted any investigation beyond the
24 review of the employment files to determine
25 whether or not he was, in fact, in the United

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1 States from April of 2001 through when his
2 leave began in June of 2001?

3 A. I'm not sure what you mean by
4 "investigation."

5 Q. Well, do you know whether the
6 bank, in light of this information in an FBI
7 report relating to the events of 9/11,
8 attempted to conduct an inquiry by contacting
9 people to determine whether or not the
10 information conveyed in here was accurate?

11 A. Well --

12 Q. About his -- about his presence
13 in the United States.

14 A. What we've done is gone back to
15 the HR records to understand his role, his
16 time at the bank, and also whether there
17 would be any reason the bank would have asked
18 him to travel or whether he would have
19 traveled on any bank-related business.

20 We found no records of any of
21 those things.

22 Q. And was -- I assume the bank
23 has details concerning how he was being paid
24 during the 2001 time period?

25 A. I'm sorry. Could you say that

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1 again?

2 Q. In other words, I assume the
3 bank has available to it information
4 concerning the mechanism through which his
5 compensation was sent to him during the 2001
6 time period?

7 A. I don't know specifically, but
8 I assume he would have been receiving salary
9 into his normal Al Rajhi account, just as
10 other employees do. But I don't have
11 familiarity with the payroll practices
12 some -- that period ago.

13 Q. And I gather from that that you
14 don't know whether or not there was any
15 change during 2001 with regard to the account
16 nominated to receive salary and compensation?

17 A. I don't have that detail, no.

18 Q. And I think you may have
19 mentioned this, but do you know the identity
20 of the individual he would have been
21 responsible to report to during the period of
22 April 2001 until he took leave in June
23 of 2001?

24 A. You did ask me that, and I said
25 I didn't know.

1 Q. Mr. Galloway, are you aware
2 that Al Rajhi Bank was first named in a
3 lawsuit in the United States in relation to
4 the events of 9/11 back in the 2002 time
5 frame?

6 A. Could I ask the section of the
7 question sheet you're referring to, please?

8 Q. Sure. It's primarily 45.

9 A. Thank you. Thank you for that.

10 MR. CARTER: And, Carrie, can
11 you repeat -- can you read back the
12 question for us?

13 (Court Reporter read back
14 question.)

15 THE WITNESS: I have some
16 understanding of that.

17 QUESTIONS BY MR. CARTER:

18 Q. And are you also aware that the
19 claims first filed in the 2002, 2003 time
20 period remained pending for a number of years
21 thereafter?

22 A. I don't have detailed
23 understanding of the legal process, sir, I'm
24 afraid.

25 Q. Do you know whether or not, in

1 light of the claims that were brought against
2 Al Rajhi Bank in those early years after the
3 September 11th attacks, any litigation hold
4 was put in place to preserve documents
5 relevant to those claims?

6 MR. CURRAN: You can answer
7 that yes or no.

8 THE WITNESS: Yes.

9 QUESTIONS BY MR. CARTER:

10 Q. And do you know when that was
11 put in place?

12 MR. CURRAN: You can give a
13 date or an approximation.

14 THE WITNESS: I believe it was
15 at the time of the suit in 2002.

16 QUESTIONS BY MR. CARTER:

17 Q. And do you know what records
18 that litigation hold specified needed to be
19 preserved?

20 MR. CURRAN: As to that
21 question, I'm going to assert the
22 attorney-client -- or attorney-client
23 privilege and work product doctrine
24 and instruct the witness not to
25 answer.

1 MR. CARTER: And, Chris,
2 just --

3 MR. CURRAN: Yeah.

4 MR. CARTER: We -- we've
5 obviously exchanged -- sorry. We've
6 exchanged briefs on this, and we
7 obviously think the circumstances
8 allow this to be discovered.

9 That's an issue pending for the
10 Court, so I think we'll reserve some
11 time to get into that.

12 QUESTIONS BY MR. CARTER:

13 Q. Do you know whether or not the
14 litigation hold that was put in place around
15 the time in the 2002 suit was lifted at some
16 point?

17 MR. CURRAN: You can answer
18 that yes or no.

19 THE WITNESS: I don't have
20 direct knowledge of the workings of
21 the litigation hold.

22 QUESTIONS BY MR. CARTER:

23 Q. And do you know whether the
24 litigation hold that was put in place in 2002
25 extended to documents relating to the bank's

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1 relationships with the Da`wah organizations?

2 MR. CURRAN: I'm going to
3 instruct the witness not to answer on
4 the basis of attorney-client privilege
5 and work product doctrine.

6 QUESTIONS BY MR. CARTER:

7 Q. Do you know whether any
8 documents were collected and placed in a
9 designated location pursuant to the
10 litigation hold?

11 MR. CURRAN: You can answer
12 that yes or no.

13 THE WITNESS: Any litigation
14 hold doesn't change the bank's overall
15 practice not to destroy documents, and
16 our archival process is to retain the
17 documents in their existing safe
18 repository.

19 QUESTIONS BY MR. CARTER:

20 Q. And do you happen to know
21 whether or not the litigation hold directed
22 that documents should not be sent to the
23 bank's paper archives?

24 MR. CURRAN: Again, that one's
25 getting to the content of the

1 litigation hold, so I'll instruct the
2 witness not to answer on the basis of
3 attorney-client privilege and work
4 product doctrine.

5 QUESTIONS BY MR. CARTER:

6 Q. Mr. Galloway, are you aware
7 that when the plaintiffs served discovery
8 requests in this litigation, Al Rajhi Bank
9 offered information concerning the manner in
10 which its paper records from the relevant
11 time period were stored and some of the
12 challenges it would face in trying to
13 identify the full range of responsive
14 records?

15 MR. CURRAN: You may answer
16 that yes or no.

17 THE WITNESS: I've got no
18 specific familiarity with that. I
19 know the document storage procedures,
20 but I'm not aware of the issue that
21 you pointed.

22 QUESTIONS BY MR. CARTER:

23 Q. Do you know whether any of the
24 responsive documents on the topics we've been
25 discussing were sent to Al Rajhi Bank's

1 archive after the litigation hold was put in
2 place?

3 MR. CURRAN: You may answer
4 that yes or no.

5 THE WITNESS: I'm not aware.

6 QUESTIONS BY MR. CARTER:

7 Q. Do you know whether the bank
8 continued to send documents that were subject
9 to its litigation hold to its archive between
10 2002 and 2014?

11 MR. CURRAN: You can answer
12 that yes or no.

13 THE WITNESS: Could you repeat
14 the question one more time? I'm
15 sorry.

16 QUESTIONS BY MR. CARTER:

17 Q. Yeah.

18 Do you know whether Al Rajhi
19 Bank sent documents that were subject to the
20 litigation hold off to the archives at any
21 point between 2002, when the litigation hold
22 went in place, and 2014?

23 A. What I can say is that any
24 litigation hold doesn't change the bank's
25 overall practice to not destroy documents,

1 and we store the documents in situ in the
2 normal archive locations.

3 Q. And so the -- am I correct in
4 understanding that the litigation hold that
5 was in place would not have affected Al Rajhi
6 Bank's archiving practices?

7 MR. CURRAN: You can answer
8 that yes or no.

9 THE WITNESS: It's my
10 understanding.

11 MR. CURRAN: Mr. Carter, I'm
12 being told that your time is up, so
13 please wrap it up.

14 MR. CARTER: Yeah, I mean,
15 there's been some dialogue and some
16 pauses, and the custom has been to be
17 accommodating of those issues.

18 And so what I'll do is I'll
19 reserve any remaining time based on
20 review of the video and any
21 appropriate time to claw back for
22 follow-up, including as to any issues
23 that are subject to the current
24 motions to compel.

25 MR. CURRAN: Let me ask the

1 videographer for the time count now,
2 if I may.

3 VIDEOGRAPHER: Yes, seven hours
4 and five minutes on the record.

5 MR. CURRAN: All right. Thank
6 you, Mr. Carter.

7 VIDEOGRAPHER: Okay. Off
8 record. Time is 10:30 --

9 MR. CURRAN: No.

10 VIDEOGRAPHER: Sorry.

11 MR. CURRAN: Yeah, I see no
12 reason to go off the record.

13 I've got some questions for the
14 witness. I'd like to proceed right
15 away, if that's all right.

16 MR. CARTER: Sure.

17 VIDEOGRAPHER: Yes. On record.

18 CROSS-EXAMINATION

19 QUESTIONS BY MR. CURRAN:

20 Q. All right. So, Mr. Galloway,
21 can you summarize briefly for me, again, in
22 general terms what you did to prepare for
23 this deposition?

24 A. Yeah, I -- excuse me for one
25 second.

1 In the two weeks that I've been
2 notified I was the -- to provide the
3 deposition on behalf of the bank, I've worked
4 on this full-time, more than 100 to 120 hours
5 of preparation, seven days, and read the
6 provided documents, met with some 28-plus
7 people, several of them on numerous
8 occasions; prepared responses to all of the
9 questions posed by the plaintiffs, including
10 the 45 questions and all the subsections; and
11 applied myself as diligently as possible to
12 ensure that we could speak to their very
13 broad range of topics that were proposed for
14 the conversation.

15 Q. So Mr. Carter showed you a
16 series of documents throughout his
17 examination.

18 Would it have been helpful to
19 you to have those documents ahead of time
20 before testifying today?

21 A. Absolutely.

22 Q. Why is that?

23 A. Because they were documents
24 that I wasn't familiar with, and/or they were
25 working at a level of detail which I think

1 was not what I had read as the spirit of what
2 I was being asked to respond to.

3 Q. I'll call your attention to a
4 couple of the areas of inquiry, if I may,
5 starting with area 1. Okay?

6 And specifically with respect
7 to area of inquiry 1(a), "The bank's accounts
8 established or held in the name of, on behalf
9 of, and/or for the benefit of Al Haramain,
10 IIRO and Muwaffaq" --

11 A. Yes.

12 Q. -- "and their principals."

13 What did you determine to be
14 the bank's knowledge as to that subject?

15 A. And for Al Haramain KSA and
16 IIRO KSA, the bank held accounts during the
17 relevant period, but for not Muwaffaq.

18 And for the principals, ten
19 individuals were searched.

20 And then for Al Haramain and
21 IIRO, two were searched.

22 Q. All right. And what were the
23 findings?

24 A. We found ten Al Haramain and
25 two IIRO accounts.

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1 Q. And with respect to the bank's
2 own records -- I'm sorry. Yeah. With
3 respect to accounts at the bank --

4 A. Yeah.

5 Q. Oh, I'm sorry. You already
6 said that Al Haramain and IIRO had accounts,
7 and Muwaffaq did not?

8 A. That's correct.

9 Q. Okay. In --

10 A. Al Haramain KSA and IIRO KSA,
11 just for the record.

12 Q. Got it. Thank you.

13 So was Prince Turki bin Fahad
14 bin Jalawi Al Saud among the IIRO officials
15 that you did search for?

16 A. He was searched and found not
17 to be a customer.

18 Q. Okay. Did you err or misspeak
19 in responding to a question by Mr. Carter on
20 that point?

21 A. I believe -- I believe I may
22 have.

23 Q. But to be clear, that was
24 searched for, and there was no account in the
25 name of Prince Turki?

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1 A. That's my understanding, yes.

2 Q. That's your conclusion based on
3 your --

4 A. Correct.

5 Q. -- assessment of the bank's
6 knowledge?

7 A. Correct.

8 Q. Okay. And you -- I think you
9 testified earlier that there were a number of
10 accounts for both Al Haramain and IIRO at the
11 bank.

12 A. That's correct.

13 Q. Over a period of years.
14 Correct?

15 A. That's correct.

16 Q. And I think you testified at
17 one point there was a consolidation of those
18 accounts for each of those charities.

19 Is that right?

20 A. That's correct.

21 Q. And I think you testified that
22 that was in or around 2003.

23 Does that sound right?

24 A. Yes, that sounds right.

25 Q. So if there was a consolidation

1 of those accounts at that point, does that
2 indicate that the accounts were separate
3 before then, at least to some extent?

4 A. Yes, it does.

5 Q. Okay. And what -- so does that
6 mean there were various accounts opened at
7 various times over the years?

8 A. Yes. As I told Mr. Carter,
9 they were opened for different projects over
10 a period of time.

11 Q. Okay. And when those
12 unconsolidated accounts were being opened,
13 did the bank have onboarding processes that
14 it followed?

15 A. Yes, it did.

16 Q. Okay. Can you describe in
17 general terms what those onboarding processes
18 were?

19 A. Yeah. Onboarding processes at
20 the KYC, processes described in the branch
21 manual, include identification, individual
22 collection of their ID cards, photographs, et
23 cetera.

24 Q. Okay. So if I'm understanding
25 this correctly, there was repeated onboarding

1 or KYC processes done with respect to IIRO
2 KSA and Al Haramain KSA over the years.

3 A. Yeah. All of the onboarding
4 processes were followed, and the order of
5 processes were then ensuring that that would
6 happen.

7 Q. I want to turn your attention
8 to Subsection 1(b), which deals with
9 financial contributions provided to Al
10 Haramain, IIRO or Muwaffaq by the bank and
11 Sheikh Sulaiman.

12 What did you determine to be
13 the bank's knowledge on that subject?

14 A. Yeah. With respect to the bank
15 during that period, the bank hasn't made any
16 financial contributions to any of the three
17 organizations of Al Haramain KSA, IIRO KSA or
18 Muwaffaq, and that's as validated in the core
19 banking records search.

20 With respect to Mr. Sulaiman al
21 Rajhi, the bank's identified and produced
22 transactions during the relevant period on
23 the accounts of both Mr. Sulaiman al Rajhi
24 and the Sulaiman bin Abdulaziz al Rajhi
25 charitable foundation.

1 Q. And to what organizations did
2 Sulaiman al Rajhi and the Sulaiman al Rajhi
3 foundation contribute to?

4 A. He did not contribute to IIRO.
5 He contributed to Al Haramain KSA.

6 Q. Okay. And how about Muwaffaq?

7 A. He did not contribute to
8 Muwaffaq, as far as I know.

9 Q. Okay. I'd like to turn your
10 attention to area of inquiry 1(d). And this
11 relates to Sulaiman al Rajhi's membership or
12 service on IIRO boards, councils, committees
13 or governing committee.

14 What did you conclude to be the
15 bank's knowledge on that subject?

16 A. The bank is not aware of any
17 role by Sulaiman al Rajhi on IIRO boards, on
18 their councils, their committees or their
19 governing bodies during the period in
20 question.

21 The bank is also aware that
22 Sulaiman al Rajhi resigned from the IIRO
23 board by a letter on June 20, 1992. And the
24 bank produced a letter dated October 1998
25 which attaches ten earlier letters from

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1 Mr. Sulaiman al Rajhi or his office advising
2 his 1992 resignation and asking to be removed
3 from any and all IIRO correspondence lists.

4 So he made numerous and
5 repeated attempts, totaling ten, as we've
6 understood.

7 Q. Do I recall correctly that
8 Mr. Carter showed you that October 4, 1998
9 letter with all of its attachments?

10 A. Yes, he did.

11 Q. And I think we established --
12 or you established during your testimony
13 under the questioning of Mr. Carter that that
14 letter came from the files at Al Rajhi Bank?

15 A. I believe so, yes.

16 Q. Now, it bore the letterhead of
17 Sheikh -- of Sulaiman al Rajhi's estate, I
18 believe, but it was found in the files of the
19 bank, correct?

20 A. That's correct.

21 Q. And in 1998, Sulaiman al Rajhi
22 was a high-level official at the bank,
23 correct?

24 A. That's correct.

25 Q. Do you see anything

1 particularly unusual about his board
2 membership documents being stored at the bank
3 if he was a high officer?

4 A. No, I do not.

5 Q. Do you have any question to
6 doubt the authenticity or the bona fides of
7 that document that Mr. Carter showed you?

8 A. No, I do not.

9 MR. CARTER: Objection.

10 Foundation.

11 QUESTIONS BY MR. CURRAN:

12 Q. I'd now like to turn your
13 attention to a different subject, to area of
14 inquiry number 3, and in particular 3(a),
15 which relates to "SAMA's general role in
16 overseeing, regulating and supervising Al
17 Rajhi Bank's banking operations, practices
18 and procedures."

19 Sir, what did you conclude was
20 the bank's knowledge as to that subject?

21 A. SAMA is the primary supervising
22 entity for the bank. They're our key
23 regulator, and they issue all the regulations
24 and directives related to advising The
25 Kingdom, including the bank, the licensing,

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1 the operating, the supervision and audit.

2 And the bank must comply with SAMA directives
3 and regulations.

4 Q. And to the best of your
5 knowledge, has the bank complied with SAMA's
6 regulation in the relevant period?

7 A. To the best of my knowledge,
8 they have.

9 MR. CARTER: Objection. Form.

10 QUESTIONS BY MR. CURRAN:

11 Q. All right. I'd like to turn
12 your attention to 3(b), and that relates to
13 "SAMA's post-9/11 inquiries, investigations
14 and audits of Al Rajhi bank accounts, banking
15 transactions and customers, including
16 communications regarding same."

17 Sir, what did you conclude to
18 be the bank's knowledge as to that subject?

19 A. After 9/11, the bank continued
20 with all the existing internal and external
21 audits and controls, but in addition, the
22 SAMA self -- bank self supervisory committee
23 was created.

24 SAMA agreed with all the banks
25 to create the committee, which we spoke of

1 earlier. It comprised senior representatives
2 from all the banks. And that was designed to
3 fully cooperate with the US executive order
4 of the Office of Foreign Asset Control, OFAC,
5 and SAMA's related request for information
6 and productions.

7 The bank complied in full with
8 all of that in the regular -- in regular
9 communication with SAMA, and SAMA visited
10 with all the banks, including Al Rajhi. And
11 this was the primary venue for managing the
12 events post-9/11.

13 Q. Sir, turn to area of
14 inquiry 3(c). And this deals with "the roles
15 and responsibilities of Al Rajhi Bank's legal
16 affairs division and internal auditing
17 division in responding to SAMA's post-9/11
18 inquiries, investigations and audits relating
19 to terrorism or terrorism financing,
20 including communications regarding same."

21 And, sir, what did you conclude
22 to be the bank's knowledge on that subject?

23 A. So I --

24 MR. CARTER: Objection. Form.

25 THE WITNESS: I represented the

1 bank's legal department, was nominated
2 as the representative on the SAMA
3 bank's self supervisory committee, the
4 source of that being the self
5 supervisory committee minutes.

6 Typically the bank's legal
7 department passed on the bank's
8 internal audit all of the instructions
9 from SAMA.

10 Internal audit then compiled
11 the information requests -- requested
12 by SAMA, and they sent it to SAMA with
13 a copy to the legal department.

14 QUESTIONS BY MR. CURRAN:

15 Q. I'd like to turn your attention
16 to 3(f). That deals with "the treatment of
17 accounts for Al Haramain and IIRO in the wake
18 of the designations of offices of those
19 organizations after 9/11."

20 What did you conclude to be the
21 bank's knowledge with respect to that
22 subject?

23 A. On the 7th of March 2002, SAMA
24 instructed all banks to block accounts of
25 foreign entities of Al Haramain Bosnia, Al

1 Haramain Somalia, and any other accounts of
2 IIRO in Albania.

3 On the 11th of March 2002, OFAC
4 designated the same for two foreign Al
5 Haramain entities in Bosnia and Albania that
6 SAMA had already notified as being designated
7 on the 7th of March 2002.

8 It's important to note that Al
9 Haramain's Saudi offices were not designated,
10 and the US designation notice excluded the
11 KSA entity.

12 ARB only, or Al Rajhi Bank
13 only, had accounts with the local KSA entity
14 of Al Haramain and IIRO, and SAMA did not
15 instruct Al Rajhi Bank to block IIRO KSA or
16 Al Haramain KSA entity accounts.

17 Abdullah al Rajhi wrote to the
18 Ministry of Islamic Affairs to ask if the
19 bank should be taking any action on Al
20 Haramain, and on March 13th, the Ministry of
21 Islamic Affairs responded to the bank to
22 confirm that Al Haramain was authorized to
23 operate in the KSA.

24 On the 19th of July 2004, SAMA
25 required all banks to block any accounts on

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1 other foreign Al Haramain entities, those
2 being in the Netherlands, Ethiopia, Albania,
3 Afghanistan, et cetera.

4 And it's confirmed that Al
5 Rajhi Bank did not have any accounts with any
6 of these Al Haramain entities.

7 SAMA did not require Al
8 Haramain accounts in the KSA entity to be
9 blocked, and it supported the view that Al
10 Rajhi Bank should not alter their treatment
11 of Al Haramain KSA.

12 There was a SAMA letter to the
13 general manager of ARB in the circular that
14 all banks to retain Al Haramain under a
15 single account. That was 30th of April 2003.

16 And the bank has also found
17 that US Trustee Secretary O'Neill made a
18 clear distinction between the Saudi entity,
19 which was not designated, and other foreign
20 operations which were designated. The source
21 is Secretary O'Neill's remarks in 2002. We
22 have a hyperlink.

23 SAMA had instructed the banks
24 not to take any unilateral action to block
25 accounts unless they're instructed by SAMA.

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1 And that was part of the directive at the
2 beginning of the self supervisory committee.
3 The banks were not to act unilaterally to
4 block accounts without SAMA direction.

5 Q. I'd like to direct your
6 attention to area of inquiry 3(b), which
7 deals with SAMA's post-9/11 investigations of
8 accounts and banking transactions associated
9 with Al Haramain and IIRO branch offices.

10 Sir, what do you conclude to be
11 the bank's knowledge with respect to that
12 subject?

13 A. To the extent to the term
14 "branch offices" refers to Al Haramain and
15 IIRO outside -- offices outside of KSA, Al
16 Rajhi Bank had no accounts with such offices.

17 And SAMA made two requests --
18 they made requests of Al Haramain in May 2004
19 requesting information on certain
20 transactions.

21 And then the -- and IIRO
22 requests, which were received for action on
23 IIRO entities outside KSA.

24 The bank maintains, however,
25 that it held no accounts for Al Haramain

1 offices outside of KSA.

2 Q. Sir, I want to direct your
3 attention to area of inquiry 3(h), and that
4 deals with "communications between SAMA and
5 any Al Rajhi Bank concerning inquiries from
6 Al Rajhi Bank officials, including Abdullah
7 Sulaiman al Rajhi, regarding the continued
8 provision of banking services to Al Haramain,
9 IIRO and other charities post-9/11."

10 What do you conclude to be the
11 bank's knowledge with respect to that
12 subject?

13 A. So after 9/11, as I mentioned,
14 the bank's self supervisory committee at SAMA
15 instructed all banks not to close accounts
16 with the explicit -- without the explicit
17 direction of SAMA.

18 SAMA later sent instructions
19 regarding charities, and the bank believed at
20 all times it was in compliance with all the
21 SAMA requirements.

22 To be prudent, however, the
23 bank sent a letter to SAMA to inquire about
24 Al Haramain, and SAMA did not reply to this
25 letter. So the bank then proactively took

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1 steps to contact other relevant government
2 departments to confirm it was in compliance
3 with respect to Al Haramain.

4 The SAMA circular stated that a
5 license from the Ministry of Labor or the
6 Ministry of Islamic Affairs is required for
7 practicing activity for the account's
8 purpose, and SAMA confirmed that the Ministry
9 of Islamic Affairs is a proper licensing
10 authority for charities.

11 On the 20th of April 2003, SAMA
12 then instructed banks to consolidate all Al
13 Haramain KSA accounts under a single account
14 number.

15 And on April 30, 2003, ARB
16 confirmed with SAMA that the bank had
17 consolidated all of the Al Haramain accounts
18 into one account.

19 In January 2004, on the 4th of
20 January, a letter to SAMA was sent to request
21 clarity on future dealings with some
22 charities -- excuse me for a moment.

23 A letter was sent to SAMA to
24 request clarity on future dealings with some
25 charities, and this included IIRO and Al

1 Haramain. And in this letter, Mr. Abdullah
2 al Rajhi notes that Al Haramain charitable
3 foundation is already licensed.

4 And then by letter to the
5 Ministry of Interior, which corresponds to
6 the date of 7 February 1996, the bank
7 enclosed a copy of the Al Haramain license.

8 Mr. Al Rajhi also noted that
9 the IIRO KSA has a license number and
10 direction of Supreme guidance number
11 K/M/494/200, in addition to the certificate
12 that was issued by the relevant KSA
13 government authority.

14 On January 26, 2004, there was
15 a letter to SAMA referencing ARB 14545 that
16 sought explicit guidance on dealing with Al
17 Haramain.

18 And on February 25, 2004, there
19 was a letter to The Ministry of Islamic
20 Affairs requesting confirmation that Al
21 Haramain charitable foundation has a license
22 to operate from the competent authority to
23 carry out charitable work.

24 On the 13th of March 2004, a
25 letter from the Ministry of Islamic Affairs

1 stated that Al Haramain is authorized to
2 carry out charitable work.

3 And on the 10th -- sorry. On
4 March 21, 2004, the Ministry of Justice then
5 wrote to state that Al Haramain and IIRO,
6 Muslim World League, The World Assembly of
7 Muslim Youth, are all, quote, legally
8 established, end quote, and, quote, permitted
9 to operate under its laws and regulations,
10 end quote, being in KSA.

11 Q. Now, Mr. --

12 MR. CARTER: Chris, I'm going
13 to interject an objection.

14 The witness is apparently
15 reading from a document, and testimony
16 is supposed to be conducted as though
17 in a courtroom. And there's not a
18 court in the world that would let a
19 witness testify in this manner,
20 reading from a document.

21 So I'm just going to state my
22 objection.

23 MR. CURRAN: Yeah, well, okay.
24 There's not a court in the world that
25 would let somebody identify 45 topics

1 for a witness that's been designated
2 as a corporate representative.

3 QUESTIONS BY MR. CURRAN:

4 Q. But, Mr. Galloway, you would
5 appear to be reviewing notes while you were
6 testifying a moment ago.

7 Is that correct?

8 A. That's correct. And I prepared
9 all those notes myself.

10 Q. They appear to be typed.
11 Who typed them?

12 A. I typed every single word on
13 the pages.

14 Q. What was the source of
15 information that you had to -- that enabled
16 you to type notes with such depth and detail?

17 A. The interviews and information
18 I gathered as part of the preparation for
19 this.

20 Q. Now, Mr. Carter asked you a
21 series of questions earlier about charitable
22 projects that Al Haramain KSA and IIRO KSA
23 conducted apparently outside The Kingdom of
24 Saudi Arabia.

25 Do you remember that testimony?

1 A. Yes.

2 Q. Do you remember he showed you
3 some documents --

4 A. Yes.

5 Q. -- that seem to reflect those
6 activities?

7 Sir, are you aware, based on
8 your investigation for this deposition, as to
9 whether SAMA prohibited Saudi charities from
10 making donations for overseas beneficiaries?

11 A. They did not.

12 MR. CARTER: Objection.

13 Foundation.

14 QUESTIONS BY MR. CURRAN:

15 Q. How do you know that, sir?

16 A. Because they were -- SAMA only,
17 until after 2001 -- 2011, required no
18 overseas payments to charities. It was not
19 prohibited by our lead regulator SAMA.

20 Q. So it was after the relevant
21 period for this deposition --

22 A. Yes.

23 Q. -- that SAMA prohibited such
24 overseas activities?

25 A. That's my understanding.

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1 Q. Sir, under questioning by
2 Mr. Carter earlier, you also testified about
3 having met, I think you said two days ago,
4 with Abdullah Sulaiman al Rajhi, correct?

5 A. That's correct.

6 Q. And to reestablish the facts,
7 he's the current chairman of Al Rajhi Bank?

8 A. That's correct.

9 Q. And I think you testified that
10 you spent two-plus hours with chairman Al
11 Rajhi?

12 A. That is correct.

13 Q. And in that period, what
14 subjects did you discuss?

15 A. We went through systematically
16 each of the questions on the guide that we
17 had been given for the discussion today.

18 Q. And Mr. Carter had the
19 opportunity during this deposition today to
20 ask you to recount anything and everything
21 that Abdullah Sulaiman al Rajhi conveyed to
22 you, correct?

23 A. That's correct, he did.

24 Q. Sir, during that discussion
25 that you had with Abdullah Sulaiman al Rajhi,

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1 did you and he discuss the recent suggestion
2 that Mr. Carter and his colleagues made that
3 Abdullah Sulaiman al Rajhi must have known
4 Osama bin Laden because they overlapped at
5 university together?

6 A. We did discuss that.

7 Q. And what did -- what did
8 Abdullah Sulaiman al Rajhi tell you?

9 A. He said he's never met Osama
10 bin Laden. He's had no association with him
11 in any kind. He doesn't remember him from
12 university, and they had no common friends.

13 Q. Did he say whether he knew
14 whether his father knew Osama bin Laden?

15 A. He said that his father did not
16 know Osama bin Laden.

17 MR. CURRAN: That concludes my
18 questioning. Thank you all for your
19 time and patience.

20 This deposition is concluded.

21 MR. CARTER: Chris, just for
22 the record, again, we believe there's
23 time that's appropriately clawed back,
24 and we're reserving that time for
25 purposes of follow-up questioning,

1 including as to matters that are
2 subject to the current motion
3 practice.

4 MR. CURRAN: All right. And we
5 dispute that. We'll oppose that.

6 And our view is that your
7 conduct of this 30(b)(6) deposition
8 was abusive with respect to the
9 extensive topics that you identified,
10 and caused the witness and the company
11 to prepare on, and then you didn't
12 even get to the subjects.

13 MR. CARTER: Yeah. And, Chris,
14 I'm going to respond to that in two
15 ways.

16 The first is that the parties
17 had disputes about the propriety of
18 the notice. Plaintiffs made clear
19 with regard to the deposition protocol
20 that we believed it would be
21 appropriate for the parties to extend
22 the discovery deadline to allow any
23 objections relating to depositions to
24 be resolved in advance before the
25 deposition were to be conducted.

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1 Al Rajhi Bank said it was
2 unwilling to do so.

3 We also proposed, just in the
4 last day, deferring this deposition to
5 allow the Court to rule on these
6 matters.

7 And so in multiple respects,
8 we've attempted to provide an
9 opportunity for the Court to address
10 your objections to the notice in
11 advance of the deposition. That was
12 our preference, that's what we asked
13 to have happen, and you said you
14 wouldn't allow it.

15 MR. CURRAN: You're the ones
16 who drafted this abusive 30(b)(6)
17 notice, and I think that speaks for
18 itself.

19 But anyway, everyone have a
20 nice rest of the day. And I
21 appreciate the work of the court
22 reporter and the videographer.

23 Thank you all, Counsel.

24 MR. CARTER: Yeah, I'm just
25 going to object for the record the

1 characterization of counsel's conduct
2 as abusive.

3 MR. CURRAN: Thank you all.

4 VIDEOGRAPHER: Okay. Off
5 record. The time is 11:01.

6 (Deposition concluded at 11:01 p.m.)

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1 CERTIFICATE

2 I, CARRIE A. CAMPBELL, Registered
3 Diplomat Reporter, Certified Realtime
4 Reporter and Certified Shorthand Reporter, do
5 hereby certify that prior to the commencement
6 of the examination, James Galloway, was duly
7 sworn by me to testify to the truth, the
8 whole truth and nothing but the truth.

9 I DO FURTHER CERTIFY that the
10 foregoing is a verbatim transcript of the
11 testimony as taken stenographically by and
12 before me at the time, place and on the date
13 hereinbefore set forth, to the best of my
14 ability.

15 I DO FURTHER CERTIFY that I am
16 neither a relative nor employee nor attorney
17 nor counsel of any of the parties to this
18 action, and that I am neither a relative nor
19 employee of such attorney or counsel, and
20 that I am not financially interested in the
21 action.

22 *Carrie A. Campbell*

23 CARRIE A. CAMPBELL,
24 NCRA Registered Diplomat Reporter
25 Certified Realtime Reporter
California Certified Shorthand
Reporter #13921
Missouri Certified Court Reporter #859
Illinois Certified Shorthand Reporter
#084-004229
Texas Certified Shorthand Reporter #9328
Kansas Certified Court Reporter #1715
New Jersey Certified Court Reporter
#30XI00242600
Louisiana Certified Court Reporter
#2021012
Notary Public
Dated: May 28, 2023

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1 INSTRUCTIONS TO WITNESS

2

3 Please read your deposition over
4 carefully and make any necessary corrections.
5 You should state the reason in the
6 appropriate space on the errata sheet for any
7 corrections that are made.

8 After doing so, please sign the
9 errata sheet and date it. You are signing
10 same subject to the changes you have noted on
11 the errata sheet, which will be attached to
12 your deposition.

13 It is imperative that you return
14 the original errata sheet to the deposing
15 attorney within thirty (30) days of receipt
16 of the deposition transcript by you. If you
17 fail to do so, the deposition transcript may
18 be deemed to be accurate and may be used in
19 court.

20

21

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23

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ACKNOWLEDGMENT OF DEPONENT

I, _____, do
hereby certify that I have read the foregoing
pages and that the same is a correct
transcription of the answers given by me to
the questions therein propounded, except for
the corrections or changes in form or
substance, if any, noted in the attached
Errata Sheet.

James Galloway

DATE

Subscribed and sworn to before me this
_____ day of _____, 20 ____.

My commission expires: _____

Notary Public

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LAWYER'S NOTES

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ERRATA

GOLKOW LITIGATION SERVICES
ONE LIBERTY PLACE
1650 MARKET STREET, SUITE 5150
PHILADELPHIA, PA 19103
877-370-3377

NAME OF CASE: *In Re: Terrorist Attacks On September 11, 2001*, No. 03-md-1570 (S.D.N.Y.)

DATE OF DEPOSITION: May 11, 2023

NAME OF DEPONENT: Rule 30(b)(6) Al Rajhi Bank Designee James Galloway

Page	Line(s)	Change	Reason
29	4	Insert “in” before “a group”	Transcription error
31	25	Replace “30 th ” with “16 th ”	Clarification
32	10	Insert “Since the 30 th of April” before “I’ve”	Clarification
37	20	Replace “ARB00000164” with “ARB0000016”	Transcription error or clarification
39	4	Replace “two” with “four”	Clarification
43	12	Insert “In” before “the”	Transcription error or clarification
43	12	Insert comma after “department”	Transcription error or clarification
43	12	Insert “there” after “department,”	Transcription error or clarification
44	23	Insert “of” after “manager”	Transcription error
44	25	After “Al-Behairy,” insert “. In Shared Services IT Operations, Marius Badanau.”	Transcription error or clarification
45	20	Replace “spoke to” with “directed questions to and received answers from”	Clarification
46	8	Remove “and”, and replace “responsibilities” with “responsibility”	Clarification
46	24	Remove “to”	Transcription error
47	11	Replace “spoke to” with “directed questions to and received answers from”	Clarification
47	18-20	Delete “Abdul Rahman al Rajhi. Is that right? That can't be right. No, that's”	Clarification
47	24-25	Delete “Abdul Rahman al Rajhi, not working in the office. I'm sorry,”	Clarification
49	1	Delete “Sorry. For some reason I’ve got an error on my sheet, so apologies for that.”	Clarification
49	5-8	Replace “I ... structure” with “No.”	Clarification
49	18	Replace “No, I do not” with “There was no charity relations department or anyone specifically responsible for charity relations during the 1998 through 2001 time period.”	Clarification

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Page	Line(s)	Change	Reason
50	16-25	Replace “I ... time” with “Naif Al Dahmashi currently with Strategy, was a Customer Care Representative during the 1998-2001 period. Abdullah Al-Subail, currently with HR, was a payroll officer with HR during the 1998-2001 period. Turki M. Al-Dalilah, currently with Shared Services IT Operations, was an IT officer during the 1998-2001 period. Khalifey Tajammul, currently with IT Core Infrastructure Compute & Platform Support, was a help desk officer during the 1998-2001 period. Ibraheem A. Alzuair, currently with Internal Audit, was a field auditor and then a branch auditor during the 1998-2001 period. Amin Osman Awad, currently with Board Secretariat, was an office manager of IT’s executive manager office during the 1998-2001 period. The Bank’s Chairman, Abdullah Al Rajhi, was the Bank’s General Manager during the 1998-2001 period.”	Clarification
53	1	Delete “,” after Islamic	Transcription error
55	13	Replace “I” with “He”	Clarification
56	15-17	Replace “I ... that.” with “He did not.”	Clarification
57	13-14	Replace “I do not know the answer to that” with “He did not.”	Clarification
59	8	Replace “Abdul” with “Abdullah”	Transcription error
59	19	Replace “Abdul” with “Abdullah”	Clarification
64	10	Replace “I” with “The Bank”	Clarification
64	24	Replace “That’s” with “The Bank did, that’s”	Clarification
68	18	Replace “cited” with “sighted”	Transcription error
69	4	Replace “product” with “customer transactional”	Clarification
69	19-21	Replace “I ... notes” with “The core banking system, called SIB 2000, was rolled out in 2001. Data going back to 1998 was migrated into the new system.”	Clarification
70	13	Replace “I ... information.” with “Branch number, account number, value date, transaction date, branch teller’s approval of the transaction (if available, for transactions after the migration), head teller’s approval of the transaction (if available, for transactions after the migration), issuing branch, and SAR amount for foreign currency transactions.”	Clarification
71	2	Before “applied” insert “the Bank”	Clarification
71	4	Replace “know” with “known”	Transcription error
71	5	Replace “middle names and family names” with “names (including, for individuals, their middle names and family names)”	Clarification
71	6	After “of” insert “letters in the”	Clarification
71	7	Replace “individual” with “your other requests regarding individuals’ ”	Clarification
71	15	Replace “person and” with “requested persons’ ”	Clarification
71	16	Replace “and things” with “with things”	Clarification

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Page	Line(s)	Change	Reason
71	19	Replace “which then” with “, in which” and replace “probable” with “possible”	Clarification
71	20	Replace “met” with “matched”	Clarification
71	22	After “file,” insert “to match”	Clarification
71	23	Delete “, national ID number”	Clarification
72	10	After “Yeah,” insert “all”	Clarification
72	11	After “credited” insert “to Al Haramain Islamic Foundation and IIRO accounts at the Bank”	Clarification
72	12	After “system” insert “by searching the accounts linked to their customer identification codes”	Clarification
72	12-14	Delete “It just depends on whether the annotation on the credit is clear or complete.”	Clarification
73-74	73:16-74:2	Replace “It’s ... individual documents” with “The FileNet system stores soft copy scans of original hardcopy archive documents.”	Clarification
77	17	Delete “, or Muwaffaq”	Clarification
78	20-22	Replace “I ... audit” with “No”	Clarification
82	2	After “that” insert “many of”	Clarification
82	11	Replace “by” with “in responses to”	Clarification
82	12-16	Delete “I ... specifically.”	Clarification
83	1	Replace “the --” with “that” and insert “likely” before “is”	Clarification
83	3	After “projects” insert “, or possibly different charity branches or committees”	Clarification
83	13	After “that” insert “came up”	Clarification
83	23	Replace “Abulrhman” with “Abdulrhman”	Transcription error
83	24	Replace “Abulrhman” with “Abdulrhman”	Transcription error
84	11	Replace “No, I do not.” with “This understanding is based on a survey of account-opening documents. Separate accounts could also have been created for different charity branches or committees.”	Clarification
84	24-25	Replace “I ... no” with “Additional information relating to a particular account would be in the Customer Information File for that account.”	Clarification
85	13-15	Replace “I can’t find ... statement” with “The statements of account that were produced are generated directly from core banking system data for the relevant period.”	Clarification
86	19-20	Replace “I ... that” with “The Bank has not found any indication that the number of accounts held by Al Haramain prompted — or should have prompted — any money laundering or terrorism financing concerns through 2002. It was not until April 20, 2003 that SAMA instructed all banks in Saudi Arabia to consolidate all accounts for a charitable foundation or organization under a single account with sub-accounts”	Clarification
89	2	Insert “likely” before “were”	Clarification

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Page	Line(s)	Change	Reason
89	3	After “period.” insert “Separate accounts also could have been opened for different charity branches or committees.”	Clarification
89	9	Replace “Abulrhman” with “Abdulrhman”	Transcription error
89	13	Replace “No, I do not” with “This understanding is based on a survey of account-opening documents”	Clarification
89	22-23	Replace “No ... that” with “He reached that conclusion based on his review of the account-opening documents.”	Clarification
90	20	Replace “No ... not.” with “Although for some accounts the account purpose may be evident from the account name, there is no requirement that the purpose of the account be indicated in the account name.”	Clarification
92	22	After “that.” insert “I did not focus on reviewing all of the account names, because this was not an area of inquiry in the notice on which I prepared for this deposition.”	Clarification
93	5	Replace “seeing” with “noting”	Clarification
93	12	Replace “do not” with “also do not recall noting that every account had a distinct name designation. I did not focus on reviewing all of the account names, because this was not an area of inquiry in the notice on which I prepared for this deposition”	Clarification
94	2	After “not.” insert “I did not focus on reviewing all of the account names, because this was not an area of inquiry in the notice on which I prepared for this deposition.”	Clarification
94	6	After “not.” insert “This was not an area of inquiry in the notice on which I prepared for this deposition.”	Clarification
94	21	Replace “go down to” with “assess” and replace “, look” with “volume of funds”	Clarification
94	22	Before “through” insert “moved” and after “the” insert “Al Haramain” and replace “to the” with “through”	Clarification
97	2	Replace “would” with “could”	Clarification
97	6-7	Replace “In ... reason.” with “An annotation can be input for every payment but is not a mandatory field in the core banking system.”	Clarification
97	16-18	Replace “There ... field --” with “In the Notes field.”	Clarification
97	20	Replace “-- that would be --” with “The Notes field would”	Clarification
97	21	Replace “detail ... transaction” with “annotation on the payment”	Clarification
98	11-15	Replace “For ... not” with “Not”	Clarification
98	25	Replace “There was review to say” with “The Bank did, however, review transaction annotations to determine”	Clarification
99	1	After “accounts” insert “of the IIRO, Al Haramain, or Muwaffaq charities”	Clarification
99	2	After “the bank” insert “or others”	Clarification
99	4	Replace “question” with “questions” and after “questions” insert “to the Bank”	Clarification
100	1	Replace “The” with “As of 1998 the”	Clarification

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Page	Line(s)	Change	Reason
100	2	Replace “has” with “required”	Clarification
100	5	Replace “following the” with “providing information required by the standard”	Clarification
100	10	Replace “need” with “needed”	Clarification
102	16	Replace “on foot” with “open at some point”	Clarification
102	19	Replace “onboarding” with “opening”	Clarification
104	24	Replace “at least” with “starting”	Clarification
105	3	Replace “sort” with “set”	Transcription error
105	6	Replace “earn” with “loan”	Transcription error
105	8	Replace “orders” with “auditors”	Transcription error
105	15	Replace “in relation” with “correlated”	Clarification
105	16	Replace “annual” with “AML”	Transcription error
106	6	Replace “That’s correct” with “The 1998 policy I referred to was separate from the branch manual”	Clarification
106	7	After “policy” insert “that” and replace “with” with “as”	Clarification
106	8	After “procedures” insert “for an AML Unit”	Clarification
107	8	Replace “registration” with “license”	Clarification
107	9	Replace “controls” with “supervises” and after “charity” insert “, such as the Ministry of Interior or Ministry of Social Affairs”	Clarification
107	10	Replace “control” with “may supervise”	Clarification
107	16	Replace “-- make a check” with “maker-checker --”	Transcription error
108	16	After “question.” insert “During the relevant period, the branch audit team normally audited each branch annually. The auditors checked the account-opening documentation for a sample of accounts every year, and required all identified deficiencies to be rectified by the branch. This requirement applied to sampled accounts opened before 1997.”	Clarification
109	18	Replace “they are” with “the documents and information collected for accounts opened prior to 1997 were insufficient or”	Clarification
109	21	Replace “we” with “branches” and after “would” insert “normally”	Clarification
109	22	Replace “it’s” with “the branches’ compliance was”	Clarification
110	4	Replace “the adherence” with “any non-adherence by branches”	Clarification
111	16	Replace “It” with “Audit findings”	Clarification
111	17	After “report” insert “in the Internal Audit files”	Clarification
111	18	Delete “, I assume,” and delete “back”	Clarification
111	22	Before “have” insert “currently”	Clarification
111	23	After “branches,” insert “but during the relevant period the Bank had between about 350 to 375 branches,” and after “initially” insert “audited”	Clarification
111	25	Replace “it” with “branch auditing”	Clarification
112	4	Delete “A,”	Transcription error

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Page	Line(s)	Change	Reason
112	5	After “as well.” insert “SAMA’s periodic thematic audits included surprise and short-notice audits that also checked for compliance with onboarding requirements. And the Bank’s external auditor further checked for compliance with SAMA regulations.”	Clarification
113	1-9	Replace “I ... asking” with “The Internal Audit department undertook to audit all branches, which would include branches where accounts for Al Haramain or IIRO had been opened. To determine whether any Al Haramain or IIRO accounts were audited, however, the Bank would have to collect all of the audit reports to find the audits of those particular branches, and those audits would have to be reviewed to determine which accounts were covered.”	Clarification
114	10	Replace “I do not know that” with “In our review of the audit files and customer information files, we did not see any indication of any SAMA thematic audits of charitable organizations.”	Clarification
115	14-16	Replace “I believe ... But” with “Yes.”	Clarification
115	24	Replace “that” with “evidence of a charity’s authorization to operate”	Clarification
115	25	Replace “the” with “charity”	Clarification
116	8	After “it should be true” insert “for accounts opened after issuance of the 1997 branch manual”	
116	18-20	Replace “may not have been” with “was not,” and replace “there would have been accounts under that” with “the control to check for a license is a part of the account-opening process related to onboarding a customer and assigning the customer a Customer Identification Code (CIC); once the customer is on-boarded, that control covers subaccounts for the same customer under that CIC.”	Clarification
117	14	Replace “with” with “, and the Bank will cluster those accounts under the customer’s ”	Clarification
117	19	Replace “a” with “the”	Clarification
118	5-6	Replace “I ... pre-9/11.” with “No, they were not all clustered around a single CIC. The CIC structure was introduced as part of the SIB 2000 core banking system.”	Clarification
118	13-23	Replace “I ... verify that.” with “Opening new accounts would require the same account-opening procedures. When the CIC structure was rolled out, related accounts would be clustered under a single CIC.”	Clarification
119	15	After “April” insert “2003” and replace “with” with “from”	Clarification
119	16	After “branch” insert “addressed”	Clarification
119	17	Replace “deputy government” with “Deputy Governor”	Transcription error
119	18	After “confirm” insert “that”	Clarification
119	20	Replace “SAMA” with “SAMA’s”	Transcription error
120	1	Replace “was” with “were”	Transcription error

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Page	Line(s)	Change	Reason
120	7	After “that.” insert “SAMA issued more detailed guidelines applicable to all charities on the 23rd of May 2003.”	Clarification
120	13	After “These” insert “guidelines for bank services to charities”	Clarification
120	15	Change “bank’s” to “banks”	Transcription error
120	25	After “the” insert “major” and after “banks” insert “operating in Saudi Arabia.”	Clarification
121	4	Replace “constrict” with “restrict or monitor” and after “people” insert “or entities”	Clarification
121	4-5	Replace “are now known” with “SAMA was reviewing after 9/11 in case they turned out” and after “actors” insert “,”	Clarification
121	7	Replace “SAMA” with “SAMA’s new”	Clarification
123	12	Replace “Abulrhman” with “Abdulrhman”	Transcription error
123	19-20	Replace “I ... no” with “No, they were not all opened under a single CIC. The CIC structure was introduced as part of the SIB 2000 core banking system.”	Clarification
124	15-16	Replace “I ... that.” with “No, they were not all opened under a single CIC. The CIC structure was introduced as part of the SIB 2000 core banking system.”	Clarification
129	20	Replace “This -- yeah, the -- on” with “On”	Clarification
129	21	After “4th,” insert “2004,” and replace “by” with “from”	Clarification
129	23	Replace “charity” with “charities”	Clarification
129	24-25	Replace “But predating this” with “This January 4, 2004 letter predates the”	Clarification
130	1	After “notes” insert “in this letter, which has the bates number ARB-00014545,”	Clarification
130	3	After “licensed.” insert “Specifically, Abdullah Al Rajhi writes to SAMA with the Bank’s understanding that Al Haramain Charitable Foundation had been ‘licensed by letter of the Minister of the Interior No. Sh3/2195/29 and dated 9/18/1416H,’ which corresponds to February 7, 1996.”	Clarification
130	24	Delete “all”	Clarification
130	25	Replace “charitable foundations” with “Charitable Foundations”	Transcription error
131	7	After “work.” insert “The Bates number for that letter is ARB-00039505.”	Clarification
131	8-9	Replace “10 March 2021 -- sorry,” with “letter dated”	Clarification
131	10	Before “the” insert “from” and replace “stated” with “stating”	Clarification

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Page	Line(s)	Change	Reason
131	14	After “KSA.” insert “The Bates number for that letter is ARB-00039410. The Bank has also produced, from the Customer Information Files for several Al Haramain accounts, a letter from the Deputy Minister of Islamic Affairs dated October 17, 1997. The Bates numbers for those copies of the letter are ARB-00038201 (for account opened May 8, 2001), ARB-00038253 (for account opened July 20, 2000), ARB-00038612 (for account opened December 5, 1999), and ARB-00038586 (for account opened August 15, 1995). In that letter, the Deputy Minister states, ‘We would like to inform you that Al Haramain Charitable Foundation operates under our supervision.’”	Clarification
131	21	Delete “, the 2004”	Clarification
131	22	After “March 21” insert “, 2004” and after “letter.” insert “But the Bank’s diligence did not begin in 2004. One example is the October 17, 1997 letter from the Deputy Minister of Islamic Affairs, Bates number ARB-00038612, found in the Customer Information Files with the account-opening documents. In that letter, the Deputy Minister states, ‘We would like to inform you that Al Haramain Charitable Foundation operates under our supervision.’”	Clarification
131	25	After “letter” insert “[Exhibit 4, dated February 25, 2004]”	Clarification
132	12	Replace “This” with “At the time of this February 25, 2004 letter, the Bank possessed earlier satisfactory authorizations to open accounts for Al Haramain. The Bank has produced, for example, the letter from the Deputy Minister of Islamic Affairs dated October 17, 1997. In that letter, the Deputy Minister states, ‘We would like to inform you that Al Haramain Charitable Foundation operates under our supervision. The 2004 letter’”	Clarification
132	13	After “post-9/11/2011” insert “, however,” and replace “was a” with “were new”	Clarification
132	14	Replace “instruction.” with “instructions. First, in November 2001, SAMA instructed” and after “that” insert “the”	Clarification

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Page	Line(s)	Change	Reason
132	15	Replace “close” with “even freeze” and after “after” insert “the 9/11Attacks unless instructed by SAMA. That instruction can be found at Bates number ARB-00039842. But also, in 2002, SAMA had instructed the banks in Saudi Arabia to block any accounts of certain foreign entities, including Al Haramain Bosnia and Al Haramain Somalia. The Bank only held accounts of Al Haramain Saudi Arabia, and SAMA did not instruct the Bank to block any accounts of Al Haramain Saudi Arabia. To be prudent, however, the Bank inquired with SAMA about continuing to provide services to Al Haramain Saudi Arabia. Those inquiries have been produced with Bates numbers ARB-00014545 and ARB-00014546. SAMA did not respond. So in early 2004 the Bank contacted other government agencies for confirmation, in light of SAMA’s post-9/11 requirements for dealing with charities, that the Bank was permitted to deal with Al Haramain Saudi Arabia even after the designation of certain foreign Al Haramain entities.”	Clarification
132	16	After “this” insert “2004” and after “letter” insert “(Exhibit 4)”	Clarification
132	19	After “get” insert “confirmation that Al Haramain in Saudi Arabia had”, after “license” insert “after the designation of some foreign Al Haramain entities”	Clarification
132	21	Replace “were” with “was”	Clarification
133	8	After “true” insert “, in isolation,”	Clarification
133	9	Replace “found out” with “confirmed” and replace “it” with “Al Haramain”	Clarification
133	13	After “described.” insert “And in the letter dated January 4, 2004, ARB-00014545, which predated this correspondence, the Abdullah Al Rajhi stated the Bank’s understanding that Al Haramain had been licensed by letter of the Minister of the Interior on February 7, 1996.”	Clarification
134	5	Replace “To me” with “In the context of the surrounding correspondence, particularly the Bank’s inquiry to SAMA referenced at ARB-00014546,”	Clarification
134	7	After “was -- it was” insert “still considered”	Clarification
134	8	After “licensed” insert “after the designation of some foreign Al Haramain entities	Clarification
134	15	Replace “it” with “Al Haramain” and after “was” insert “still considered licensed”	Clarification
135	1	Before “I” insert “Assuming this letter can be read in isolation, which I don’t necessarily agree with,”	Clarification

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135	2	After “true.” insert “Based on the Bank’s review of the Customer Information Files for Al Haramain’s accounts, the Bank has produced, for example, the letter from the Deputy Minister of Islamic Affairs dated October 17, 1997. In that letter, the Deputy Minister states, ‘We would like to inform you that Al Haramain Charitable Foundation operates under our supervision.’”	Clarification
135	19-20	After “Affairs” insert “is”, after “required” insert “for religious or social organizations”, after “practice” insert “the”, and replace “the account.” With “which the account is opened. This confirmed that the Ministry of Islamic Affairs was a proper licensing authority.”	Clarification
135	21-25	Delete “And ... question.”	Clarification
136	11	Replace “permanent” with “permit”	Transcription error
137	5	After “were” insert “still”	Clarification
137	6	After “compliance.” insert “As for accounts that had previously been opened, the Customer Information Files for Al Haramain’s accounts include, for example, the letter from the Deputy Minister of Islamic Affairs dated October 17, 1997 stating that ‘Al Haramain Charitable Foundation operates under our supervision.’”	Clarification
137	15	After “I think” insert “in the context of the Bank’s inquiries to SAMA,”	Clarification
137	16	After “was” insert “still considered”	Clarification
138	19-20	Replace “To ... weren’t” with “I do not know”	Clarification
140	11-12	Replace “No ... knowledge” with “I do not know”	Clarification
140	23-24	Replace “To the ... we” with “The Bank”	Clarification
140	25	Replace “work” with “entities” and after “overseas.” insert “But no, under the Bank’s procedures, and under SAMA regulations, it would not have been relevant from 1998 through 2002 to ascertain whether an account was being opened for purposes of charitable activities carried out outside the Kingdom. On May 23, 2003, SAMA issued a circular to all banks in Saudi Arabia regarding Charity Accounts. The Bates number for that circular is ARB-00014531. That circular added new requirements for the accounts of charitable institutions at banks operating in the Kingdom, including a new requirement that no transfers from the accounts of charitable institutions and associations would be permitted to beneficiaries outside the Kingdom. That requirement was not in effect from 1998 through 2002.”	Clarification
142	18	Replace “Well, the” with “No. The”	Clarification
143	2	After “account.” insert “I am not aware of any limitation prior to May 23, 2003, on the use of charity accounts at banks in Saudi Arabia to support charitable activities outside the Kingdom.”	Clarification

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Page	Line(s)	Change	Reason
144	23	Replace “That was my understanding.” with “To clarify, the accounts that Al Rajhi Bank opened for Al Haramain were solely for the Al Haramain entity in Saudi Arabia, and not for any foreign entities. The requirement that charity accounts at banks in Saudi Arabia be used to support charitable activities only inside the Kingdom was not in effect before May 23, 2003.”	Clarification
145	5-7	Replace “It’s .. sure.” with “To clarify, the accounts that Al Rajhi Bank opened for Al Haramain were solely for the KSA branches of Al Haramain, and not for any foreign entities. The requirement that charity accounts at banks in Saudi Arabia be used to support charitable activities only inside the Kingdom was not in effect before May 23, 2003.”	Clarification
147	15	After “no.” insert “But the document does not refer to a procedure in which Al Rajhi Bank would fax a deposit notice and a purpose of the donation to Al Haramain. This letter is under Al Haramain letterhead and appears to be soliciting donations from potential donors. It is not addressed to the Bank. The letter appears to direct donors, not the Bank, to send a record of their donation to Al Haramain’s fax number.”	Clarification
148	15	After “no.” insert “But the letter does not appear to be requesting that Al Rajhi Bank send Al Haramain the deposit notice and purpose of the donation. The letter appears to be addressed to potential donors and is requesting donors to send Al Haramain a record of their donation.”	Clarification
150	9	After “that” insert “paragraph, although the meaning of it is unclear”	Clarification
150	16	After “not” insert “, because this was not an area of inquiry in the notice on which I prepared for this deposition”	Clarification
151	18	After “not” insert “, because this was not one of the areas of inquiry in the notice that I was asked to prepare to discuss”	Clarification
152	1	After “not.” insert “And I note again that this was not an area of inquiry in the notice on which I prepared for this deposition.”	Clarification
152	14	After “response.” insert “This was not one of the 45 topics with subtopics that Plaintiffs asked me to prepare to discuss.”	Clarification
153	9	After “no.” insert “Whether Al Haramain’s accounts were used to send money outside the Kingdom from 1998-2002 was not among the 45 topics with subtopics in the Plaintiffs’ notice that I was asked to be prepared to discuss. But before May 23, 2003, there were no restrictions under Saudi law or under the Bank’s policies on using charitable accounts at banks in Saudi Arabia for charitable activities outside the Kingdom.”	Clarification

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Page	Line(s)	Change	Reason
153	17	After “that.” insert “However, to the best of my knowledge, before May 23, 2003, there were no restrictions under Saudi law or under the Bank’s policies on using charitable accounts at banks in Saudi Arabia for charitable activities outside the Kingdom.”	Clarification
154	1	After “not.” insert “As with the Al Haramain accounts, whether IIRO’s accounts were used to send money outside the Kingdom from 1998-2002 was not among the 45 topics with subtopics in Plaintiffs’ notice that I was asked to be prepared to discuss.”	Clarification
154	7	Replace “have” with “make”	Clarification
154	9	After “specifically.” insert “But, to my knowledge, before May 23, 2003, there were no restrictions under Saudi law or under the Bank’s policies on using charitable accounts at banks in Saudi Arabia for charitable activities outside the Kingdom.”	Clarification
155	16-17	Delete “The” and delete “16th of June, it says.”	Clarification
157	5	Replace “wouldn’t” with “would”	Transcription error
158	1	Replace “their” with “they’re”	Transcription error
160	11-12	Replace “was sought in order to verify” with “verifies”	Clarification
160	18-20	Replace “Now . . . that.” with “To clarify, this letter was maintained in a Customer Information File for Al Haramain, is dated October 17, 1997, and shows that, as of at least that date, Al Haramain Islamic Foundation was working under the supervision of the Ministry of Islamic Affairs. The document speaks for itself.”	Clarification
161	19	After “words” insert “in the translation you are showing me”	Clarification
161	20	Replace “Foundation’s” with “Foundation is”	Transcription error
164	8	After “including” insert “by”	Clarification
164	14	Replace “--” with “government officials” and after “Saudi” insert “Arabia”	Clarification
164	16	After “unusual” insert “or” and after “of” insert “the norm in this”	Clarification
164	23	Delete “and he did”	Clarification
164	25	Replace “he” with “this person”	Clarification
165	1	Replace “he” with “the Chairman”	Clarification
165	5	After “it’s” insert “also”	Clarification
165	16	After “that” insert “they dealt with each other”, after “directly” insert “; the Chairman did not indicate this when I asked him about Mr. Al Sheikh”, replace “he” with “the Chairman” and “him” with “Mr. Al Sheikh”	Clarification
165	17	Replace “he” with “Mr. Al Sheikh”	Clarification
166	23	After “be.” insert “To clarify, Abdullah Al Rajhi was at that time the General Manager of the Bank.”	Clarification

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Page	Line(s)	Change	Reason
167	23	Replace “No, I don’t.” with “In 1998, Abdullah Al Rajhi was the General Manager of the Bank.”	Clarification
168	2	Replace “I ... me.” with “In 1998, Abdullah Al Rajhi was the General Manager of the Bank.”	Clarification
168	7	Replace “Yes ... says.” with, “According to the translation you have shown me, the letter states, ‘we want to transfer the accounts of Al-Haramain Islamic Foundation, attached to the statement – which are 9 accounts – in the name of Al-Haramain Islamic Foundation.’”	Clarification
168	20	Replace “Yes ... says.” with, “According to the translation you have shown me, the letter states, ‘we want to transfer the accounts of Al-Haramain Islamic Foundation, attached to the statement – which are 9 accounts – in the name of Al-Haramain Islamic Foundation.’”	Clarification
169	1	Delete “, they provided a list of them”	Clarification
169	23	Replace “naturally” with “unilaterally”, replace “If” with “Even if”, and replace “writing” with “requesting”	Clarification
170	8	Delete “, I believe so”	Clarification
174	15-20	Replace “I do not ... individual accounts.” with “Account “555” was established in the name of Al Haramain. Account “889” was jointly held by Aqeel al Aqeel and Mansour al Kadi. Account “909” was held by Mansour al Kadi. Account “600” was jointly held by Mansour al Kadi and Aqeel al Aqeel. Account “880” was jointly held by Aqeel al Aqeel and Muhammad Al Tuwaijry. It appears the reference to account “898” may have been a typo; the Bank has no record of this account. Account “292” was held by Abdul Rahman al Aqeel. Account “333” was held by Aqeel al Aqeel. Account “147” was held by Muhammad Al-Tuwaijry.”	Clarification
175	3-6	Replace “These were ...charity.” with “In some cases.”	Clarification
175	10	Delete “No.”	Clarification
175	13-16	Replace “I ... understanding” with “Yes”	Clarification
175	20	Replace “I would need to check that.” with “Yes.”	Clarification
176	19	After “done.” insert “This letter shows that the Bank was following its policies under the 1997 Branch Manual. Any transfer of an existing personal account number to a new business, entity, or charity name would require a higher level of approval.”	Clarification
177	6	Replace “I ... that” with “No”	Clarification
177	14-15	Replace “I ... title” with “He headed the Banking Group, which at that time managed both retail and corporate banking.”	Clarification

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Page	Line(s)	Change	Reason
177	19	Replace “I ... that” with “Yes, he would have reported to the General Manager of the Bank, who at that time was Abdullah Al Rajhi”	Clarification
177	25	After “controls” insert “that were followed” and replace “were -- this is” with “was”	Clarification
178	1	After “the” insert “accounts in” and replace “individual” with “individuals”	Clarification
178	2	After “the” insert “name of”	Clarification
178	3	Replace “account names, but” with “, and”	Clarification
178	9	Replace “but” with “and” and replace “was” with “required following”	Clarification
178	15	Before “They” insert “These additional requirements and safeguards were in place to ensure that both the customers and the Bank were protected.” and replace “They were trying” with “The Bank’s controls were meant”	Clarification
178	16	Replace “obviously” with “in fact”	Clarification
178	17	Replace “opened” with “ultimately held”	Clarification
178	17-18	Replace “charity, but that -- when you're moving, normally” with “charity. Normally,”	Clarification
178	22	Replace “they” with “the Bank”	Clarification
178	24	After “on” insert “the account as owner and the old party removed”	Clarification
178	25	Delete “and things”	Clarification
179	1	After “recovered” insert “,”	Clarification
179	2	After “agreed” insert “by both the former and new accountholders. This protects both customers, who are assured of the amount that will be transferred from the former accountholder to the new accountholder; the Bank is protected from any claims by the former and new accountholders as to the value of the account; and the new accountholder is protected against fraudulent use of checks held by the former accountholder.”	Clarification
179	6	Replace “and then there was” with “as well as”	Clarification
179-80	179:19-180:2	Replace “Yeah ...was to be” with “There was an account-conversion process, as I described, which is also laid out in other internal letters such as at ARB-00038996. And that process and policy was to be”	Clarification

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Page	Line(s)	Change	Reason
180	5-10	Replace “the manual” with “the branch manual” and replace “And these ... for that.” with “The branch manual lists additional controls for opening a charity account. The additional controls include requiring a higher-level signoff to open the account. And in the letter you are showing me now, authorization to move the account into the name of Al Haramain is being given by the Deputy Director General for the Banking Group, consistent with the branch manual.”	Clarification
180	23	Replace “personal” with “the personal-account”	Clarification
180	24	After “onboarding” insert “procedure”	Clarification
181	1-2	Replace “I ... what’s” with “would have been subject to the charity-account onboarding procedure. What’s”	Clarification
181	5-8	Replace “Yeah, ... activities?” with “Could individuals have used their personal accounts for charitable activities?”	Clarification
184	14-19	Replace “Well ... clarify--” with “The question was not clear to me.”	Clarification
185	16	Replace “it” with “the change in accountholder”	Clarification
185	17	After “to” insert “a higher level signoff and collecting”	Clarification
185	18	Replace “account” to “accountholder”	Clarification
185	25	Before “It” insert “I did not mean to suggest that converting an individual account to a charity account would raise concerns.” and delete “It - - ”	Clarification
186	1	Replace “they” with “the charity”	Clarification
186	10-11	Replace “I ... no.” with “This internal Bank letter states that it encloses Al Haramain Charitable Foundation’s “original letter” dated September 6, 1999, which the Bank has produced under Bates number ARB-00038888. In that “original letter,” Al Haramain requests the account-name change.”	Clarification
187	21	After “awareness” insert “on the part of Al Haramain”	Clarification
187	23	Replace “scrutiny” with “controls” and replace “it” with “the account”	Clarification
188	12	After “issue” delete “that”	Transcription error
189	19-22	Delete “Yeah, ... second.”	Clarification
191	17	Replace “this issue” with “your question, because this scenario is missing a lot of facts”	Clarification
192	4	Replace “that’s cor --” with “that”	Transcription error
194	3-7	Delete “The letter ... right?”	Clarification
194	25	Replace “I ... that.” with “The letter shows that the Branch director is enclosing letters from Al-Haramain Islamic Foundation and the individual accountholders expressing their wish to change the account to be in the name of Al Haramain. So the request came from the Bank’s customers. The Branch director is asking for guidance on how possibly to accomplish this.”.	Clarification

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195	2-3	Delete “But whether it was Al Haramain or the bank,” and replace “either” with “this letter shows that”	Clarification
195	4	Replace “either party is” with “the individuals jointly holding the account and Al Haramain are”, and after “this” insert “account”, and after “order” insert “and under proper controls because it is being used to receive donations. The Bank acknowledges this, and the Bank’s Branch manager is asking for guidance to facilitate the change to a charity account”	Clarification
195	5	Replace “and” with “to” and replace “they’re” with “the account is”	Clarification
195	6	After “as” insert “a”, replace “accounts” with “account”, and replace “they’re” with “that the account is”	Clarification
195	7	After “to” insert “the” and replace “control” with “controls,” and after “licensing” insert “requirement”	Clarification
195	9	Replace “of” with “to”	Clarification
195	15	After “comment” insert “on”	Clarification
195	16	Replace “they’re” with “this account was”	Clarification
195	18	Replace “their” with “the” and replace “accounts are” with “account is”	Clarification
195	19	Replace “they’re” with “it’s”	Clarification
195	22	Replace “these accounts” with “this account,” and replace “they were” with “it was”	Clarification
195	23	Replace “they were” with “it was”	Clarification
195	24	After “as” insert “an”	Clarification
195	25	Replace “accounts” with “account” and after “account” insert “to be used for depositing donations”	Clarification
200	2	Replace “they’re” with “donors” and after “directly” insert “to the account”	Clarification
201	6	After “now.” insert “The topics you have been asking me to speculate about -- whether certain individual accountholders intended to use their account to collect donations, and the timing of when donations started to be made into the account -- were not areas of inquiry in the notice that I was asked to prepared on for this deposition.”	Clarification
205	8	After “bank.” insert “As mentioned, these requirements protect the customers, who are assured of the amount that will be transferred from the former accountholders to the new accountholder; the Bank is protected from any claims by the former and new accountholders as to the value of the account; and the new accountholder is protected against fraudulent use of checks held by the former accountholders.”	Clarification

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Page	Line(s)	Change	Reason
208	7	After “correct.” insert “This redaction appears to be an anomaly, however, because all of the other documents you have shown me were matchable on the redacted account number. And I understand that the Bank subsequently produced this document with a corrected redaction.”	Clarification
209	13	Replace “That” with “From what you are showing me, that”	Clarification
209	19-20	Replace “what” with “the noticed topics” and after “I” insert “was asked to” and replace “prepared” with “prepare”	Clarification
209	22	After “uncover,” insert “and” and after “for” insert “because it was not in the notice”	Clarification
210	13-14	Replace “I ... him” with “No, he does not”	Clarification
210	21	Replace “Then” with “And” and after “assume” insert “this request is”	Clarification
210	23	Replace “everybody else” with “Al Haramain” and “here” with “with other accounts”	Clarification
210	23	Replace “them” with “individual accounts”	Clarification
211	9	After “true” insert “, in that there were four requests to change account names in the four years 1998 through 2001. But to the extent you mean anything more than that I don’t accept your characterization of such requests as “ongoing””	Clarification
211	17	After “Yes” insert “, again, only to the extent that the four requests to change account names that you have shown me took place over the four years 1998 to 2001. To the extent that by “at least,” you mean something more than that, I’m not prepared to accept that characterization.”	Clarification
211	21	After “correct” insert “, if by “multiple” you are referring to four requests”	Clarification
212	13	After “did.” insert “Nor would there be any basis that I am aware of to raise red flags about any of these requests individually or about the four requests over four years.”	Clarification
221	2	Replace “?” with “.”	Clarification
221	12	Replace “bank” with “banks”	Transcription error
223	1	Delete “there’s”	Clarification
223	3	After “three” insert “organizations” and replace “lists” with “listed”	Clarification
223	4	After “than” insert “making an assumption based on”	Clarification
225	8	Replace “instruction.” with “instructions, although I note that the names of the entities in the document you have shown me are in Arabic. And, while you have referred to these entities as “branches,” the Bank takes no position on the nature of the relationship between Al Haramain KSA and the entities in Bosnia and Somalia, with which the Bank had no relationship, or between IIRO KSA and the entity in Albania, with which the Bank also had no relationship”	Clarification
225	24	Replace “about” with “of”	Transcription error
225	25	Replace “someone” with “SAMA”	Transcription error

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226	2-4	Delete “—sorry ... entity”	Clarification
228	18	After “directed” insert “inquires to SAMA and”	Clarification
228	23	Replace “all of them were” with “Al Haramain was”	Clarification
229	15	After “case” insert “, subject to my earlier point that, while you have referred to these entities as “branches,” the Bank takes no position on the nature of the relationship between Al Haramain KSA and the entities in Bosnia and Somalia, with which the Bank had no relationship, or between IIRO KSA and the entity in Albania, with which the Bank had no relationship.”	Transcription error
226	21	Replace “I don’t have that in front of me, but” with “The Bank searched for these accounts and found none.”	Clarification
226	25	Delete “that”	Clarification
230	3-4	Replace “I ... that.” with “I reject the premise of your question. The Bank took all appropriate steps to confirm it did not have any accounts responsive to the blocking orders from SAMA. Al Rajhi Bank in fact did not have accounts for Al Haramain Bosnia. The Bank only had accounts for Al Haramain KSA, which was not sanctioned, was licensed to operate, and about which SAMA had not given any contrary instruction. I understand that the United States government itself distinguished between Al Haramain KSA, which was not designated, and other foreign operations that had been designated. And in November 2001, SAMA had specifically instructed the banks not to take unilateral action to block accounts unless instructed by SAMA. The Bates number for that instruction is ARB-00039842. The Bank did block transactions with restricted parties, including the entities in this notice from SAMA. To my knowledge, however, in 2002, there were no restrictions under Saudi law, SAMA directives, or the Bank’s policies on using charitable accounts at banks in Saudi Arabia for charitable activities outside the Kingdom -- including in Bosnia.”	Clarification

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Page	Line(s)	Change	Reason
230	14-20	Replace “I ... compliant.” with “Again, I reject the premise of your question. The Bank took all appropriate steps to confirm it did not have any accounts responsive to the blocking orders from SAMA. Al Rajhi Bank in fact did not have accounts for Al Haramain Bosnia. The Bank only had accounts for Al Haramain KSA, which was not sanctioned and was licensed to operate. The Bank did block transactions with restricted parties, including the entities in this notice from SAMA. To my knowledge, however, in 2002, there were no restrictions under Saudi law, SAMA directives, or the Bank’s policies on using charitable accounts at banks in Saudi Arabia for charitable activities outside the Kingdom — including in Bosnia.”	Clarification
231	6-7	Replace “I ... that.” with “The Bank took all appropriate steps to confirm it did not have any accounts responsive to the blocking orders from SAMA. Al Rajhi Bank in fact did not have accounts for Al Haramain Bosnia. The Bank only had accounts for Al Haramain KSA, which was not sanctioned and was licensed to operate. The Bank did block transactions with restricted parties, including the entities in this notice from SAMA. To my knowledge, however, in 2002, there were no restrictions under Saudi law, SAMA directives, or the Bank’s policies on using charitable accounts at banks in Saudi Arabia for charitable activities outside the Kingdom — including in Bosnia.”	Clarification
231	18	After “that” insert “I reject the premise of your question. The Bank took all appropriate steps to confirm it did not have any accounts responsive to the blocking orders from SAMA. Al Rajhi Bank in fact did not have accounts for Al Haramain Somalia. The Bank only had accounts for Al Haramain KSA, which was not sanctioned and was licensed to operate. The Bank did block transactions with restricted parties, including the entities in this notice from SAMA. To my knowledge, however, in 2002, there were no restrictions under Saudi law, SAMA directives, or the Bank’s policies on using charitable accounts at banks in Saudi Arabia for charitable activities outside the Kingdom -- including in Somalia. And”	Clarification
231	21-23	Delete “With respect to these particular activities, I don’t have anything at hand to answer that question.”	Clarification
232	13	Before “I’d” insert “I reject the premise of your question.” and after “offer” insert “substantially”	Clarification
232	16	After “action” insert “SAMA’s directives”	Clarification

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Page	Line(s)	Change	Reason
232	19	After “function.” insert “The Bank took all appropriate steps to confirm it did not have any accounts responsive to the blocking orders from SAMA. Al Rajhi Bank in fact did not have accounts for IIRO Albania. I would add that the names of the entities in the document you have shown me are in Arabic, and, while you have referred to this entity as a “branch,” the Bank takes no position on the nature of the relationship between IIRO KSA and the entity in Albania, with which the Bank had no relationship. The Bank only had accounts for IIRO KSA, which was not sanctioned and was licensed to operate. The Bank did block transactions with restricted parties, including the entities in this notice from SAMA. To my knowledge, however, in 2002, there were no restrictions under Saudi law, SAMA directives, or the Bank’s policies on using charitable accounts at banks in the Kingdom for charitable activities outside the Kingdom -- including in Albania.”	Clarification
233	7-8	Replace “I ... that.” with “The Bank took all appropriate steps to confirm it did not have any accounts responsive to the blocking orders from SAMA. Al Rajhi Bank in fact did not have accounts for IIRO Albania. The Bank only had accounts for IIRO KSA, which was not sanctioned and was licensed to operate. The Bank did block transactions with restricted parties, which included the entities in this notice from SAMA. To my knowledge, however, in 2002, there were no restrictions under Saudi law, SAMA directives, or the Bank’s policies on using charitable accounts at banks in Saudi Arabia for charitable activities outside the Kingdom -- including in Albania.”	Clarification
236	2	After “familiar” insert “with the fact that”	Clarification
236	3	After “time” insert “and”, and after “that” insert “SAMA”	Clarification
236	4	After “things” insert “with respect to names on those lists”	Clarification
237	10	After “sent” insert “, but over 2 pages”	Clarification
240	4	After “that” insert “one way or another”	Clarification
241	19	After “these” insert “foreign”	Clarification
241	23	Delete “seems”	Transcription error
242	8-9	After “KSA.” insert “And I again reject the premise of your question. The Bank took all appropriate steps to confirm it did not have any accounts responsive to the orders from SAMA. Al Rajhi Bank in fact did not hold accounts for Al Haramain Netherlands. The Bank did block transactions with restricted parties, including the entities in this list from SAMA.”	Clarification
242	17	After “took” insert “steps in response to”, and replace “the SAMA” with “SAMA’s”	Clarification
242	18	Replace “he” with “the document”	Clarification
242	19	After “100” insert “from SAMA”	Clarification

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Page	Line(s)	Change	Reason
242	21	Replace “result of” with “a check on”	Clarification
243	1	After “have” delete “any KSA --”	Clarification
243	2	After “accounts” insert “for entities” and after “KSA.” insert “So in response to your repeated question, I repeat that I reject the premise of your question. The Bank took all appropriate steps to confirm it did not have any accounts responsive to the orders from SAMA. Al Rajhi Bank in fact did not have accounts for Al Haramain Netherlands. The Bank did block transactions with restricted parties, including the entities in this list from SAMA.”	Clarification
243	15	Replace “ordered” with “audited” and after “same.” insert “In other words, the Bank blocked any account that the Bank held that was on a list from SAMA with instructions to be blocked, even if the account was opened in Saudi Arabia.”	Transcription error and clarification
243	16	Replace “inquiry” with “inquiry-”	Transcription error
243	18	Replace “in” with “among”	Clarification
244	7	Replace “That is” with “The name Al Haramain may be all that”	Clarification
244	8	Replace “I don’t know if there would be” with “But there would be”	Clarification
244	9	After “identifications,” insert “, such as the domicile address,” and after “of the” insert “KYC”	Clarification
244	10	After “files” insert “So no, no that is not correct. Those accounts are in the name of Al Haramain KSA. It is not correct that, just because the sheet you showed me does not specify “KSA” in the name, these accounts may have pertained to foreign entities or foreign “branches” of Al Haramain. It is also not correct that the accounts could pertain to Al Haramain ‘generically,’ if by that you mean to include any entities named “Al Haramain” outside Saudi Arabia.”	Clarification

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Page	Line(s)	Change	Reason
244	20-21	Replace “, and we ordered it for the application of the same thing” with “. And in response to your repeated question, I will repeat again that I reject the premise of your question. The Bank took all appropriate steps to confirm it did not have any accounts responsive to the blocking orders from SAMA. Al Rajhi Bank in fact did not have accounts for Al Haramain Netherlands. And although you have referred to this entity as a “branch,” the Bank takes no position on the nature of the relationship between Al Haramain KSA and the entity in The Netherlands, with which the Bank had no relationship. The Bank only had accounts for Al Haramain KSA, which was not sanctioned, was licensed to operate, and about which SAMA had not given any contrary instruction. The Bank did block transactions with restricted parties, including the entities in this list from SAMA such as Al Haramain Netherlands.”	Clarification
245	3-5	Replace “Yeah ... answer.” with “I can repeat that the Bank took all appropriate steps to confirm it did not have any accounts responsive to the blocking orders from SAMA, such as the entities in this notice, including Al Haramain Netherlands. And the Bank did block transactions with restricted parties, including Al Haramain Netherlands and the entities in this notice from SAMA.”	Clarification
245	9	Replace “Well” with “Yes. And”, after “Carter,” insert “when”, after “we” insert “had previously”	Clarification
245	10	Replace “the instructions, and ” with “instructions about foreign Al Haramain entities,”	Clarification
245	11	Replace “ask” with “determine”	Clarification
245	19	Before “correct” insert “one action the Bank took,” and after “correct.” insert “The Bank had also asked SAMA for guidance, including in the letters at ARB-00014545 and ARB-00014546. And the Bank had also confirmed that the Ministry of Justice approved of the Bank continuing to deal with Al Haramain Charitable Foundation. That confirmation was produced at ARB-00039505.”	Clarification
247	14	Before “What” insert “Again, I reject the premise of your question.” and after “that” insert “the Bank confirmed that”	Clarification
247	17	After “entities” insert “as customers. The Bank also blocked transactions with restricted parties, including the entities on this list from SAMA.”	Clarification
249-250	249:23-250:3	Delete “What ... that”	Clarification
250	5	Before “on” insert “over certain Al Haramain accounts” and replace “?” with “.”	Clarification
251	8	Replace “no bank” with “all banks not”	Clarification
251	14	Replace “they’re” with “it was in”	Clarification

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Page	Line(s)	Change	Reason
251	16	Replace “a letter” with “letters”	Clarification
251	23	Replace “And” with “To flesh this out,”	Clarification
251	24	Replace “it” with “Al Haramain”	Clarification
252	1	Replace “And” with “So”	Clarification
252	4	Replace “in” with “on”	Clarification
252	7	Replace “they” with “SAMA”	Clarification
252	8	Replace “them” with “Al Haramain” and after “operating” insert “and holding accounts at Saudi banks”	Clarification
252	13	Delete “a”	Clarification
252	14	Replace “letter” with “letters”	Clarification
252	16	Before “Al” insert “and”	Clarification
252	18	Replace “charitable foundation” with “Charitable Foundation”	Clarification
254	5	After “other” insert “supposed” and replace “which” with “while”	Clarification
256	3	Replace “in” with “on”	Clarification
256	7	Delete “charitable accounts founda --	Clarification
256	20	After “Youth,” insert “were”	Clarification
257	8-9	Replace “And I have no specific response to that question.” with “In response to this SAMA directive, the Bank blocked the CIC for M. Al Aqeel. This blocked his accounts, and also prevented him from receiving any services from the Bank regarding accounts on which he was a signatory. Again by way of context that is relevant to your question, in November 2001, SAMA had specifically instructed the banks not to take unilateral action to block any accounts unless instructed by SAMA.”	Clarification
261	22-23	Replace “There ... records.” with “First, I confirmed that the charitable foundation has never been a parent, subsidiary, or affiliate of the Bank, and the Bank has never had oversight, supervision, management, or control over the Foundation’s operations or activities. Second, to prepare for Topic 12, and particularly 12(e), I inquired as to the steps that the Bank took to search for transactions from the accounts of Sulaiman al Rajhi and the Charitable Foundation to charities in question.”	Clarification
263	5	Replace “I’m not sure” with “Yes”	Clarification
263	22	Replace “I’m not aware of any” with “Yes, there were additional accounts, but there were no responsive transactions from those accounts to Al Haramain or IIRO”	Clarification
264	6	Replace “I ... definitively.” with “Yes.”	Clarification
264	23	Replace “I’m ... sure” with “yes”	Clarification
265	4-8	Delete “I’m ... to.”	Clarification
265	14-15	Replace “That ... draw” with “Yes”	Clarification

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Page	Line(s)	Change	Reason
265	18	Replace “No ... not.” with “The figure 847,604.00 is the total debits at the end of this page of the statement; the figure 8,260,347.45 is the total credits at the end of the page; and the figure 1,561,000.00 is the balance at the end of this page of the statement.”	Clarification
266	12-13	Replace “By ... true.” with “The figure 2,408,604 refers to the grand total of the debits from the account on Dec. 30, 1998.”	Clarification
266	19	Replace “That’s ... correct.” with “The figure 8,260,347.45 refers to the total credits to the account on Dec. 30, 1998.”	Clarification
267	1-2	Replace “I ... redaction” with “No, because the redactions are covering non-responsive transactions and banking information, and are not covering column headers.”	Clarification
267	8-12	Replace “Yeah ... to” with “No.”	Clarification
268	6	After “accounts,” insert “I learned that there were transactions from the Foundation to Al Haramain KSA,” and I’m aware that these transactions were produced in the form of account statements like these;”	Clarification
268	10	Delete “,” after “which”	Transcription error
268	11	Replace “,” with “.”	Transcription error
268	13	Delete “to”	Clarification
268	21-22	Delete “No,” and after “accounts.” insert “There were additional accounts, but there were no responsive transactions from those accounts to Al Haramain or IIRO or Muwaffaq.”	Clarification
271	4-5	Replace “And ... approach.” with “The Bank identified the Al Haramain and IIRO accounts, and also identified the accounts of the potential donors, including the Charity Foundation and Sulaiman Al Rajhi. To identify possible transactions from the potential donors to those charities, the Bank ran a keyword search for ‘Rajhi,’ in English and Arabic, in all of the charities’ accounts, and identified any credits that matched debit amounts from the potential donors’ accounts on the same transaction date. The Bank also searched for transfers to any of the charities’ accounts outside the Bank. It did this by checking to see whether the three named charities were set up as beneficiaries in the Core Banking System. The Bank confirmed they were not set up as beneficiaries by any of the potential donors.”	Clarification

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Page	Line(s)	Change	Reason
271	15	Replace “Yeah, that was also conducted.” with “I think you misunderstood. The Bank searched its General Ledger for potential donations from the Bank itself to the charities. And the Bank did not identify any responsive transactions. The Bank would not have searched its General Ledger for transactions from the Charity Foundation, because the Charity Foundation has never been a parent, subsidiary, or affiliate of the Bank.”	Clarification
272	10-11	Replace “I ... that.” with “I think you are mixing up the Charity Foundation and the Bank. The Charity Foundation has never been a parent, subsidiary, or affiliate of the Bank. In any event, no, Al Haramain was not set up as a beneficiary by Al Rajhi Bank. If you are asking whether Al Haramain was ever set up as a beneficiary by the Charity Foundation, then no, it was not.”	Clarification
272	13-14	Replace “I ... Carter.” with “Again, I think you are mixing up the Charity Foundation and the Bank. The Charity Foundation has never been a parent, subsidiary, or affiliate of the Bank. In any event, no, IIRO was not set up as a beneficiary by Al Rajhi Bank. If you are asking whether IIRO was ever set up as a beneficiary by the Charity Foundation, then no, it was not.”	Clarification
272-73	272:24-273:2	Replace “I’m ... would have been.” with “Yes, the Bank’s process did search for checks to the charities deposited at other banks. The Bank did this by reviewing the Notes field in the core banking system for checks written from the potential donors’ accounts.”	Clarification
274	9-12	Replace “Well ... have” with “The three figures represent the total debits, total credits, and the final balance reflecting transactions on that page”	Clarification
276	21	After “it” insert “or documents like it”	Clarification
279	12-13	Replace “I do not know the answer to that.” with “I can tell you that the Bank and the Foundation did not share office space, if that is what you are asking.”	Clarification
279	17	Replace “Well” with “The Bank is not in possession of the Charity Foundation’s operating files. And”	Clarification
280	2	After “not.” insert “In fact I did review a document that appears to be from the Estate Office of Sulaiman Al Rajhi”	Clarification
281	1	Replace “This was all --” with “The”	Clarification
282	14	Replace “No. The bank’s got --” with “As”	Clarification
282	19	Before “foundation” insert “supposed”	Clarification
285	17	After “secretary” insert “Bushra Ahmed” and after “not” insert “Abdullah Al Rajhi”	Clarification
285	18	Replace “that” with “Mr. Ahmed had access to use Mr. Abdullah Al Rajhi’s email” and replace “it” with “the email”	Clarification
285	19	After “charity” insert “foundation”	Clarification

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Page	Line(s)	Change	Reason
285	20	Replace “it” with “by sending the letter separately as an attachment and signing the email himself, Mr. Ahmed” and delete “that he was”	Clarification
285	21	Replace “he” with “Abdullah Al Rajhi” and after “charity” insert “foundation”	Clarification
285	23	Replace “sending” with “to expect receipt of”	Clarification
285	24	Replace “him” with “Abdullah Al Rajhi”	Clarification
290	6-7	After “that” insert “, but have no reason to believe there would be”, replace “I -- there -- as” with “As” and after “that,” insert “but have no reason to believe there would be”	Clarification
290	10	Delete “It’s not something that”, and after “I’ve” insert “not”	Clarification
290	11	Replace “. We” with “because we”	Clarification
290	12	Replace “It’s” with “The Foundation is”	Clarification
291	4	After “the” insert “precise”	Clarification
291	5	After “I don’t know” delete “ -- I don’t know”	Clarification
291	14-15	Delete “If you’ll bear with me, just see if I have any notes. But I don’t.”	Clarification
295	6	Replace “card” with “code.”	Transcription error
295	18-21	Replace “Yeah ... qualified” with “The correspondent account was for the sole use of the Bank to conduct correspondent banking, including on behalf of Bank customers.”	Clarification
296	3-5	Replace “I ... not.” with “The correspondent account was for the sole use of the Bank to conduct correspondent banking on behalf of any Bank customers, possibly including the Charity Foundation.”	Clarification
301	9	Before “person” insert “that”	Transcription error
307	6	Replace “I... that.” with “In fact the Bank’s position is that it is not required to conduct any search related to these entities, because they are outside the scope of jurisdictional discovery.”	Clarification
309	13	Replace “No... not.” with “The Bank’s position is that it is not required to conduct any search related to these entities, because they are outside the scope of jurisdictional discovery.”	Clarification
309	25	After “accounts.” insert “That individual has never had any role at the Bank.”	Clarification
313	8	Replace “I don’t believe so” with “No, it is not”	Clarification
313	9	After “before” insert “in connection with the Bank”	Clarification
314	11	After “that” insert “, but I understand this document was found in the legal department’s archives”	Clarification
315	6	Replace “so” with “but” and after “but” insert “I don’t believe they are”	Clarification
315	7-8	After “Al Rajhi” insert “Bank” and delete “I ... them.”	Clarification

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Page	Line(s)	Change	Reason
315	17-18	Replace “Yeah ... sir.” with “No, it is not a part of Al Rajhi Bank.”	Clarification
317	9	Replace “’96” with “1996”	Clarification
317	10	Replace “9 August” with “2 October”	Clarification
317	22	Replace “product” with “providing Sharia law advice on the proposed”	Clarification
317	22	After “design” insert “of Bank products,”	Clarification
317	23	Delete “and process design,”	Clarification
318	9	Replace “The” with “Providing Sharia advice on the product’s”	Clarification
318	16	After “understanding.” insert “To be clear, the other division of the Sharia group provided Sharia advice on the proposed design of Bank products; the control division function was to make sure that the products were implemented in accordance with the Sharia-compliant design.”	Clarification
319	3	Replace “From memory ...qualification.” with “He had suitable qualifications, namely, a Bachelor’s degree in Administrative Science and Accounting.”	Clarification
319	9	Replace “I ... university” with “Imam Mohammad Ibn Saud Islamic University”	Clarification
319	20	Replace “It’s” with “That is”	Clarification
320	5	After “date” insert “range”	Clarification
320	19	Replace “It’s ...to.” with “There may be some confusion here. Mr. Al-Towayan did not work in the Compliance department; he worked in the Sharia Control group within the Sharia Department. The Bank has a separate Compliance department, and this individual did not work there. His job involved conducting audits to make sure that the decisions of the Sharia Board with respect to Sharia-compliant product design and delivery were properly implemented. At no point in his tenure at the Bank did he work in the Compliance department.”	Clarification
321	1	Delete “it’s --”	Clarification
321	9	After “of” insert “,”	Clarification
321	10	After “of” insert “,”	Clarification
321	19	Delete “amassed”	Clarification
324	11	Replace “I ... information.” with “Mohammad Al Osaimy was the Head of Sharia Control at that time.”	Clarification
325	13	After “August” insert “ 2002 was the last time he appeared at work. The Bank followed its processes for terminating an employee’s contract for job abandonment. 2nd of October 2002 was”, and after “date” insert “of employment”	Clarification

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Page	Line(s)	Change	Reason
325	21	Replace “I ... dates.” with “The Bank determined that he stopped coming to work after 9 August 2002.”	Clarification
326	21	After “things.” insert “We also spoke with people in the Sharia Control group, to see if anyone recalled working with him or recalled him traveling to the United States, but no one did.”	Clarification
327	7-8	Replace “I ... been” with “He was”	Clarification
327	12	Delete “some –” and replace “period” with “long”	Clarification
327	17	Replace “I ... no” with “No, there was no change in 2001 to the account where he received compensation from the Bank”	Clarification
327	24-25	Replace “You ... know” with “Mohammad Al Osaimy was the Head of Sharia Control at that time”	Clarification
332	21	Add “to” after “pointed”	Transcription error
336	1	Replace “two weeks that” with “four weeks since”	Clarification
336	5	After “preparation” insert “over the last two weeks” and after “days” insert “a week”	Clarification
337	15	Replace “And for” with “As for”	Clarification
337	18	After “the” insert “alleged”, after “principals” insert “of Al Haramain”, and after “Haramain,” insert “accounts for”	Clarification
337	19	Replace “searched” with “identified”	Clarification
337	20-21	Delete “Al Haramain and”, after “TIRO,” insert “accounts for”, after “two” insert “alleged principals”, and replace “searched” with “identified”	Clarification
340	19	Replace “at” with “start with”	Clarification
340	20	Delete “,”	Clarification
340	21	Replace “include” with “including”, after “identification,” insert “and for” and replace “individual” with “individuals,”	Clarification
341	4	Replace “order” with “audit” and after “of” insert “the”	Transcription error / clarification
341	18	Replace “in” with “by”	Clarification
342	8	Delete “, as far as I know”	Clarification
343	2	Before “his” insert “of”	Clarification
343	4	Replace “made” with “gave”	Clarification
343	5	Replace “attempts” with “reminders of his resignation”	Clarification
344	24	Replace “advising” with “FIs, or financial institutions, in”	Clarification
345	22	After “SAMA” delete “self --”	Clarification
346	4	Replace “of” with “and”	Clarification
346	5	Replace “request” with “requests”	Clarification
346	8	Delete “in the regular --”	Clarification
346	11	After “this” insert “banks self supervisory committee”	Clarification
346	22	Replace “bank`s” with “bank’s”	Transcription error
346	25	Replace “I represented” with “A representative of”	Transcription error
347	2	After “the” insert “Bank’s”	Clarification
347	3	Replace “bank’s” with “banks”	Transcription error
347	7	After “on” insert “to”	Clarification

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Page	Line(s)	Change	Reason
347	8	After “audit” insert “department”	Clarification
347	12	Replace “it” with “the Bank’s responses”	Clarification
348	12	Delete “ARB only, or”	Clarification
348	13	Replace “only, had” with “only held”, replace “with” with “of”	Clarification
348	20	After “13th” insert “, 2004”	Clarification
349	13	Replace “in” with “regarding”	Clarification
349	14	Before “all” insert “directed”	Clarification
349	15	Replace “30th” with “20th”	Clarification
349	17	Replace “Trustee” with “Treasury”	Transcription error
349	22	After “hyperlink” insert “, which is https://home.treasury.gov/news/press-releases/po1086 ”	Clarification
349	25	Delete “they’re” and after “instructed” insert “to do so”	Clarification
350	1	Replace “the” with “SAMA’s”	Clarification
350	2	Replace “beginning” with “inception”	Clarification
350	4	Replace “SAMA” with “SAMA’s”	Clarification
350	16	After “offices.” insert “And the Bank takes no position on those offices’ relationships with Al Haramain or IIRO.”	Clarification
350	17-18	Replace “And SAMA requests to Al Rajhi Bank -- they” with “SAMA” and replace “made requests of Al Haramain” with “made a request of the Bank regarding Al Haramain”	Clarification
350	21-22	Replace “then ... which” with “For IIRO, no requests” and after “received” insert “from SAMA”	Clarification
350	23	After “IIRO” insert “, including”	Clarification
350	24	Replace “bank” with “Bank”	Transcription error
350	25	After “for” insert “foreign”	Clarification
351	1	Replace “offices” with “or IIRO entities”	Clarification
351	14	Before “the” insert “through” and replace “at” with “,”	Clarification
351	16	Delete “with the explicit --”	Clarification
352	7	After “practicing” insert “the”	Clarification
353	4	Replace “then by letter” with “the bank enclosed a copy of a letter from”	Clarification
353	6	Delete “the bank”	Clarification
353	7	Replace “enclosed a copy of” with “confirming” and after “license” insert “to operate”	Clarification
353	9	Replace “and” with “from the”	Clarification
353	10	Replace “direction of Supreme guidance” with “Direction of Supreme Guidance,”	Clarification
353	15	Replace “a ... 14545” with “a Bank letter, at ARB 14546, to follow up with SAMA, and referencing the Bank’s earlier letter, at ARB 14545. That follow-up letter”	
353	16	After “dealing” insert “specifically”	Clarification
353	21	Replace “charitable foundation” with “Charitable Foundation”	Transcription error
353	22	After “authority” insert “and”	Clarification
353	25	After “Affairs” insert “, at ARB-00039505,”	Clarification

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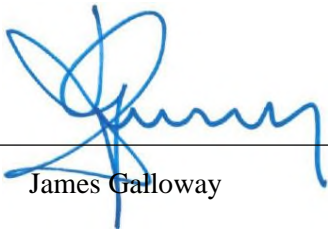
Page	Line(s)	Change	Reason
354	2	After “work” insert “and hold an account at the Bank”	Clarification
354	3	Delete “And on the 10th -- sorry.”	Clarification
354	5	After “wrote” insert “, at ARB-00039409,”	Clarification
356	16-18	Replace “they ... It” with “SAMA did not restrict transfers from charity accounts to overseas beneficiaries until SAMA issued its circular numbered 6465 in May 2003. Until then, it”	Clarification
358	11	Replace “in” with “of”	Clarification
358	15	Replace “He” with “Abdullah al Rajhi”	Clarification

ACKNOWLEDGEMENT OF DEPONENT

I, James Galloway, as Al Rajhi Bank’s designated deponent under Rule 30(b)(6) of the Federal Rules of Civil Procedure, do hereby certify that I have read the pages in the transcript of my deposition on May 11, 2023 in the matter *In Re: Terrorist Attacks On September 11, 2001*, No. 03-md-1570 (S.D.N.Y.), and that the transcript is a correct transcription of the answers given by me to the questions therein propounded, subject to the corrections and changes in form or substance noted in this Errata.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on July 17, 2023


James Galloway

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